



## PLANNING COMMISSION AGENDA

September 23, 2015, 7:00 p.m.  
Multipurpose Room/Council Chamber  
Burien City Hall, 400 SW 152<sup>nd</sup> Street  
Burien, Washington 98166

This meeting can be watched live on Burien Cable Channel 21 or on [www.burienmedia.org](http://www.burienmedia.org)

### 1. ROLL CALL

### 2. AGENDA CONFIRMATION

### 3. APPROVAL OF MINUTES

September 9, 2015

### 4. PUBLIC COMMENT

Public comment will be accepted on topics not scheduled for a public hearing.

### 5. OLD BUSINESS

A. None

### 6. NEW BUSINESS

A. Introduction to 2015 Comprehensive Plan Amendments, including Rezone Requests

### 7. PLANNING COMMISSION COMMUNICATIONS

### 8. DIRECTOR'S REPORT

### 9. ADJOURNMENT

#### Future Agendas (Tentative)

October 14, 2015

- Public Hearing on 2015 Comprehensive Plan Amendments, Including Rezone Requests
- Introduction to 2015 Zoning Code Amendments, Keeping of Animals and text corrections

October 28, 2015

- Recommendation on 2015 Comprehensive Plan Amendments, Including Rezone Requests
- Public Hearing on 2015 Zoning Code Amendments, Keeping of Animals and text corrections.

Planning Commission meetings are accessible to persons with disabilities. American Sign Language (ASL) interpretation is available upon request. Please phone (206) 248-5517 at least 48 hours prior to the meeting to request assistance. Assisted listening devices are available upon request.

#### Planning Commissioners

Curtis Olsen (Chair)

Butch Henderson  
Joel Millar

Amy Rosenfield (Vice-Chair)  
Brooks Stanfield

Jim Clingan  
Douglas Weber

*City of Burien*

BURIEN PLANNING COMMISSION

September 9, 2015

7:00 p.m.

Multipurpose Room/Council Chambers

MINUTES

*To hear the Planning Commission's full discussion of a specific topic or the complete meeting, the following resources are available:*

- Watch the video-stream available on the City website, [www.burienwa.gov](http://www.burienwa.gov)
- Check out a DVD of the Council Meeting from the Burien Library
- Order a DVD of the meeting from the City Clerk, (206) 241-4647

**CALL TO ORDER**

Chair Curtis Olsen called the September 9, 2015, meeting of the Burien Planning Commission to order at 7:02 p.m.

**ROLL CALL**

Present: Butch Henderson, Joel Millar, Curtis Olsen, Amy Rosenfield and Brooks Stanfield

Absent: Jim Clingan and Douglas Weber

Administrative staff present: David Johanson, senior planner; Brandi Eyerly, planner

**APPROVAL OF MINUTES**

**Direction/Action**

**Motion** was made by Commissioner Stanfield, seconded by Commissioner Henderson, and passed 5-0 to approve the minutes of the August 26, 2015, meeting.

**PUBLIC COMMENT**

**Michael Noakes, 16409 Maplewild Ave SW**, asked the commissioners to reject the proposed amendments to the Shoreline Master Program (SMP).

**Darla Green, 14970 21<sup>st</sup> Ave SW**, said she does not believe consideration of the proposed amendments to the SMP is an effective use of city resources and asked that the commissioners not recommend that the City Council adopt the proposed amendments to the SMP.

**Andy Ryan, 16525 Maplewild Ave SW**, said while he agrees with the other speakers, he is not clear on how the proposed amendments would impact the SMP. He suggested that perhaps a matrix of the before and after of the proposed changes would help them all to understand what everyone is talking about. He said the shoreline homeowners are owed that.

**OLD BUSINESS**

- A. Recommendation to the City Council regarding Limited Amendments to Burien's Shoreline Master Program

David Johanson, senior planner, gave a brief summary of the proposed amendments and the work the commission has done to date regarding the amendments. He reminded the commissioners that at the previous meeting they voted to table a motion to recommend to the City Council approval of the proposed amendments.

Commissioner Millar asked if there is any potential for buffer changes with the amendments. Mr. Johanson replied that there is, that by incorporating the changes made in June to BMC Chapter 19.40 into the SMP there will be increases in wetland buffers and buffers for non-fish-bearing streams. The changes were made to comply with the Growth Management Act's requirement to apply best available science to the critical area ordinance. He noted that some flexibility in the CAO was retained, such as buffer averaging and buffer reduction with enhancement.

Commissioner Millar also asked if there are scheduled revision periods for the SMP. Mr. Johanson replied that he believes 2019 is the year prescribed for revision of the SMP. Commissioner Millar asked if residents could propose amendments to the SMP; Mr. Johanson replied that residents can request the City Council consider amendments and the council could then initiate a work program item for proposed amendments. Commissioner Millar stated that, given the time and resources spent by residents and the City to create the SMP, he believes any revisions should occur only during the defined periods for revisions.

Commissioner Stanfield, referring to the staff memo in the packet dated September 2, 2015, said he'd like to review the comments received and the staff responses. Regarding the first comment, addressing mitigation, he said he doesn't see much of a difference between the original text and the proposed text. Mr. Johanson agreed that there already is similar language in the SMP.

Mr. Johanson pointed out that many things in the CAO were updated, but the changes to the wetland and stream buffers probably are the most substantive. He added that he talked with the City's CAO update consultant, The Watershed Company, and found out that many other westside cities are incorporating their updated CAOs into their SMPs; this is not a process unique to the City of Burien. He reiterated that recent update to the Burien's CAO was to apply the best available science standards required by the Growth Management Act and was accepted, with comments, by the state Department of Ecology. He assured that the CAO does not change any shoreline buffers established in the SMP, nor are there any substantive amendments to the geologically hazardous areas section of the CAO.

Commissioner Stanfield said, looking at the Critical Areas map, that there are no wetlands in the marine buffer area. Mr. Johanson replied that the only marine wetlands that have been documented to his knowledge are within Seahurst Park, and there may be a small one in Eagle Landing Park, although he's not sure how much of them are within 200 feet of the shoreline. He cautioned that the Critical Areas map is a guide to further investigation, not the definitive answer as to whether or not a particular critical area exists.

Commissioner Stanfield said he is appreciative of the time and resources that went into the creation of the SMP and of the staff time and city resources that go into addressing an issue that has a lot of resident interest. He said he feels that if we use best available science to design standards for ecological functions in certain sections of the community, they should be applied fairly and consistently throughout the city. He said it's a struggle he's having internally, but cannot see any reason it should not be applied consistently.

Chair Olsen asked what property owners would be affected by the proposed changes. Mr. Johanson said an estimated 8 to 15 additional properties would have the stream buffer. He said he did not look at wetlands.

Chair Olsen asked if there is a process for notification when it comes to changes to the SMP. Mr. Johanson replied that the public hearing was properly noticed and the state Department of Ecology (DOE) will abide by its process as well; ultimately DOE must approve the changes to the SMP.

Mr. Johanson noted that the City Council will consider the recommendation from the Planning Commission, and if it votes to approve the SMP text amendments, the council vote on a resolution to submit the changes to DOE for review and approval. If DOE approves the changes, the Council will vote on an ordinance to adopt and make the changes effective. DOE itself will have some kind of public comment process; he does not know exactly what kind of notification process DOE will use. Mr.

Johanson said while the City did not individually mail notice to every shoreline property owner there was a public hearing notice published in the newspaper; mailed to interested parties who signed in at the SMP forums; e-mailed to the subscribers on the Planning Commission packet, Comprehensive Plan updates and Zoning Code updates lists; and posted on the City's website and social media.

**Direction/Action**

Commissioner Stanfield moved to take from the table the motion relating to the Planning Commission recommendation to the City Council approval of the Shoreline Master Program text amendments as presented in Attachment 1 of the staff memo. Commissioner Henderson seconded the motion. Motion carried unanimously.

Chair Olsen called for the vote on the original motion; motion carried 4-1, with Commissioners Henderson, Rosenfield, Stanfield and Chair Olsen voting yes, Commissioner Millar voting no.

**NEW BUSINESS**

None.

**PLANNING COMMISSION COMMUNICATIONS**

None.

**DIRECTOR'S REPORT**

None.

**ADJOURNMENT**

**Direction/Action**

Commissioner Stanfield moved for adjournment; Vice Chair Rosenfield seconded. Motion carried unanimously. The meeting adjourned at 7:51 p.m.

**APPROVED:** \_\_\_\_\_

\_\_\_\_\_  
Curtis Olsen, chair  
Planning Commission

## **CITY OF BURIEN, WASHINGTON MEMORANDUM**

**DATE:** September 16, 2015

**TO:** Planning Commission

**FROM:** Charles “Chip” Davis, AICP  
Community Development Director

David Johanson, AICP  
Senior Planner

**SUBJECT:** Introduction to 2015 Comprehensive Plan Map and Rezone Amendments.

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### **PURPOSE/REQUIRED ACTION**

The purpose of this agenda item is to introduce and have a discussion regarding the proposed 2015 Comprehensive Plan map and rezone amendments.

Staff will present an overview of the requests and summarize the criteria that is used to evaluate map change requests. The recommendation report will be provided at your next meeting. Attached you will find a packet for each of the proposed map amendments containing the applicant’s request (see Attachments 1 and 2) along with list of the applicable review criteria (see Attachment 3).

### **QUASI-JUDICIAL DECISION**

The two requests constitute a quasi-judicial decision and therefore Planning Commission members should not discuss this pending land use application with opponents or proponents of the proposal. This type of contact is called “Ex Parte Contact” and it may violate the Appearance of Fairness doctrine, which was created to ensure that decision makers act without bias when deciding land use requests.

### **BACKGROUND**

The Planning Commission recommended the 2015 docket to the City Council on March 25, 2015. The City Council adopted the 2015 Comprehensive Plan Docket on April 20, 2015 (Resolution No. 363).

### **PLAN AMENDMENTS**

Staff is in the process of preparing reports analyzing the proposed amendments based on the applicable criteria both in the zoning code and comprehensive plan. Each report will include a staff recommendation.

### **PLANNING COMMISSION ACTION**

No action is necessary at the meeting.

## **NEXT STEPS**

A public hearing on 2015 Comprehensive Plan map and rezone amendments is scheduled for your next meeting on October 14, 2015.

If you have any questions before the meeting, please contact David Johanson at (206) 248-5522 or by e-mail at [david@burienwa.gov](mailto:david@burienwa.gov).

### **Attachments:**

- 1. PLA 15-0391, MS Property Management Comprehensive Plan Map Amendment and Rezone Request**
- 2. PLA 15-0430, Anna Friel Comprehensive Plan Map Amendment and Rezone Request**
- 3. Comprehensive Plan Map Amendment and Rezone Request Review Criteria.**



# Burien

Washington, USA

## Comprehensive Plan Amendment Request (Includes rezones)

400 SW 152<sup>nd</sup> Street, Suite 300 Burien, WA 98166  
Phone: (206) 241-4647 • FAX: (206) 248-5539  
www.burienwa.gov

Amendment Type	Reference Number (staff will assign)
<input checked="" type="checkbox"/> Map amendment	RE 2 15-0391
<input type="checkbox"/> Text amendment	CPMA 15-0391
<input checked="" type="checkbox"/> Quasi-Judicial Rezone	

APPLICANT INFORMATION			
Name: <u>Melina Lin</u>	Company: <u>MS Property Management</u>	Daytime Phone: <u>425 745 4608</u>	
Mailing Address: <u>555 116<sup>th</sup> Ave NE #112 Bellevue, WA 98004</u>		E-mail: <u>melina.lin@comcast.net</u>	
Contact person: <u>JEREMY RENE</u>	E-Mail: <u>jeremy.rene@architectural.com</u>	Daytime Phone: <u>206 721-1424</u>	
Property owner: <u>Melina Lin for MGRE 144218, LLC.</u>		Daytime Phone: <u>425 745 4608</u>	
Mailing Address: <u>555 116<sup>th</sup> Ave NE #112 Bellevue WA 98004</u>		E-Mail: <u>melina.lin@comcast.net</u>	
SITE INFORMATION (if applicable)			
Site Address: <u>14421 8<sup>th</sup> Ave SW</u>		Parcel Number: <u>1923049318, 1923049334, 192350000</u>	
Existing Zoning District: <u>Commercial</u>		Existing Comprehensive Plan designation: <u>N/A</u>	
Requested Zoning: <u>RM-48</u>		Requested Plan designation: <u>N/A</u>	
Number of Acres: <u>.5</u>	Current Land Use: <u>vacant</u>		
Critical areas present: <input type="checkbox"/> Wetlands <input type="checkbox"/> Streams <input type="checkbox"/> Critical Aquifer <input type="checkbox"/> Landslide Hazard Area <input type="checkbox"/> Fish & Wildlife			
Brief description of proposal (attach additional sheets if necessary): <u>This application is to rezone three parcels from Commercial designation to Residential Multifamily 48. One parcel (0192350000) already has a 23 unit apartment building on it, built in 1962. The other two parcels (1923049318 &amp; 1923049334) are vacant.</u>			

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### SIGNATURE

I, Melina Lin, declare that I am the owner of the property involved in this application, and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief. I designate \_\_\_\_\_ to act as my agent with respect to this application. I agree to reimburse the City of Burien for the costs of professional engineers and other consultants hired by the City to review and inspect this proposal when the City is unable to do so with existing in house staff.

Dated: 2/27/2015

Signature: [Signature]

ATTACHMENT 1

# Comprehensive Plan Amendment and Rezone Application

**Re: Vacant Lot Parcel Numbers #1923049318 & #1923049334**

**Property with existing building #192350000**

## **Best Classification based on surrounding buildings:**

The subject properties are two vacant lots (two parcels) and an adjacent parcel which houses an existing 23 unit Residential Condo building (Alpha I). They are all currently zoned as Office.

Our main purpose is to change the zone for the two vacant lots, but the City of Burien Planner suggested that it is best to rezone all three of them including the existing residential building Alpha I (an "Office" zoning does not match the current usage of the existing residential building.) So here in this application, we have included all three tax parcels – two are for vacant lots and one for the existing residential building.

The subject properties are surrounded by several multifamily / apartment buildings. They are all accessed from the 8<sup>th</sup> Ave SW, which is a quiet residential street. There is no access from Ambaum Blvd into the two vacant lots, or Alpha I.

The current zoning on the subject properties is Office, while surrounding buildings are apartment buildings accessed from the 8<sup>th</sup> Ave SW. Should an office building is built on the subject two vacant lots, it will not match the neighborhood characteristic which are residential buildings; and the access to the office will be from a residential street. If the zoning stays with Office, most likely the vacant lots will stay vacant as it does not make any economical sense to build an office there.

Based on this, the best use for the subject properties shall be multifamily.

PLA 15-0391

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## **Density**

We propose the subject zoning is changed to Residential Multifamily 48. This designation allows 48 units in one acre land which is 900SF per unit. This Density matches the existing density of the neighbor multifamily properties.

The neighbor properties are listed as followings and also shown on the attached lot plan.

	<b>Address (Burien)</b>	<b>Parcel #</b>	<b>Lot Size (SF)</b>	<b>Units (#)</b>	<b>Density</b>
<b>1</b>	<b>14405 8<sup>th</sup> Ave SW</b>	<b>#1923049283</b>	<b>66390</b>	<b>52</b>	<b>1276 SF/U</b>
<b>2</b>	<b>14429 8th Ave SW</b>	<b>#1923049317</b>	<b>24120</b>	<b>21</b>	<b>1148 SF /U</b>
<b>3</b>	<b>Condo Alpha I 14421 8<sup>th</sup> Ave SW</b>	<b>#192350000</b>	<b>24950</b>	<b>23</b>	<b>1085 SF /U</b>
<b>4</b>	<b>Subject vacant lots</b>	<b>#1923049318 #1923049334</b>	<b>22490</b>	<b>Vacant now Proposed 21</b>	<b>1070 SF/U</b>

Even though the zoning allows for 900SF per unit, we will most likely propose 21 units in the subject lot, which means 1070SF per unit density. From the above chart, this number matches very well with the existing neighbor properties, which deems reasonable.

## **Answers to the Comprehensive Plan Amendment Criteria and Re-zone Criteria**

### **Item by item:**

BMC 19.65.095.6 Criteria. The City Council may approve or approve with modifications a Comprehensive Plan amendment if all of the following criteria are met:

- A. The proposed amendment is the best means for meeting an identified public benefit; and

**ANSWER: The access street 8<sup>th</sup> Ave SW is a residential street. The lot has no access from the busy arterial street Ambaum Blvd. It is not a good design to have an Office building crowded by all residential properties nearby. If an office is built, there will be the only office in the block. It will bring noise, pollution, and traffic in and out during the day. It will disturb the residents a quiet enjoyment of their homes.**

- B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan;

**ANSWER: Yes. It matches. The GMT, PSRC and KCCPP, BCP are about the consistency of environmental sustainability, housing, economic development, transportation and siting of public service. The change of zoning to R48 does not impact environment adversely, and it provides additional housing to satisfy the urban population growth.**

- C. The proposed amendment will result in a net benefit to the community; and

**ANSWER: Once it is changed to multifamily zoning, we will build on the vacant lots a new apartment building, which share the same characteristics as neighboring properties. It will appear much nicer to the neighborhood instead of an empty lot with weeds. Otherwise, the lots will remain vacant and empty. Also see answer in item A.**

- D. The revised Comprehensive Plan will be internally consistent; and

**ANSWER: yes. Upon approval of this zoning change, the Comprehensive Plan and Zoning Plan are consistent. The area is already primarily characterized by multifamily residential uses at 18 or more units per acre. The area is within 1/8 mile of moderate and high commercial service nodes as measured along an arterial. The designation is also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.**

- E. The capability of the land can support the projected land use; and

**ANSWER: We have drawn a site plan for the subject vacant lots. We plan to design and build a 3-story building with 21 units, 29 parking spaces, and sufficient open space. The area does not have critical areas. The proposed zoning R48 would mathematically allow for 24 units since the property is almost exactly ½ an acre. But once all the zoning requirements (i.e. parking, on-site recreation, unit decks, etc.) are met the actual unit count will probably be between 18 and 20.**

- F. Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency; and

**ANSWER:** This project is a relatively very small project. It has negligent impact on public facility. The area is also located within ¼ mile of a transit route with peak transit frequency of at least every 10-20 minutes. Metro Bus #120 runs along Ambaum Blvd SW, a primary arterial which is approximately ¼ mile to the West of the property and meets this frequency criteria.

In addition, the area is served by adequate and/or planned recreational facilities such as Dottie Harper Park, the Burien Community Center, and Annex Park. All of these are located approximately a ¼ to the East of the property. These parks include but are not limited to picnicking, basketball, skatepark and play structures. So, yes, the public facility is sufficient.

- G. The proposed amendment will be compatible with nearby uses; and

**ANSWER:** Yes, the neighborhood properties are multifamily properties at a density of ranging from 1085 SF to 1276SF per unit. See table on page 2 for details and Exhibit A (Neighborhood Plan).

- H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets; and

**ANSWER:** No. It would not prevent. The two vacant lots are within 1 mile of the downtown Burien. The city of Burien is growing. More jobs and more people are moving here. This project will add more housing to the city. It meets the housing demand of a growing City. It is consistent with GMA population and employment targets.

- I. For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met and either of the following is met:

- i. Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or,
- ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.

**ANSWER:** the Item ii designation criteria is met. The zoning for this lot was multifamily residential under King County in the past. When it was annexed into City of Burien, it may be incorrectly coded as Office in the comprehensive plan.

## **SITE SPECIFIC REZONES**

**BMC 19.65.090.3.C** The City may grant a site-specific rezone only if all of the following criteria are met:

- i. The rezone is consistent with the Comprehensive Plan; and

**ANSWER: Yes. We will request to change in both Comprehensive Plan and Zoning Plan.**

- ii. The rezone will advance the public health, safety, or welfare; and

**ANSWER: Yes. This is residential zoning neighborhood. It is beneficial to all the neighbors to have a residential building, instead of an office building.**

- iii. The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas; and

**ANSWER: No. The two vacant lots are almost flat. It is an easy to build lot. Once the building is built, it will improve the neighborhood as it will not be a vacant lot; left empty and growing weeds.**

- iv. The rezone is necessary because at least one of the following is met:

- a. Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone, or

- b. The rezone will correct a zone classification or zone boundary that was inappropriate when established, or

- c. The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.

**ANSWER: The conditions b & c are met. See answer to item I above.**

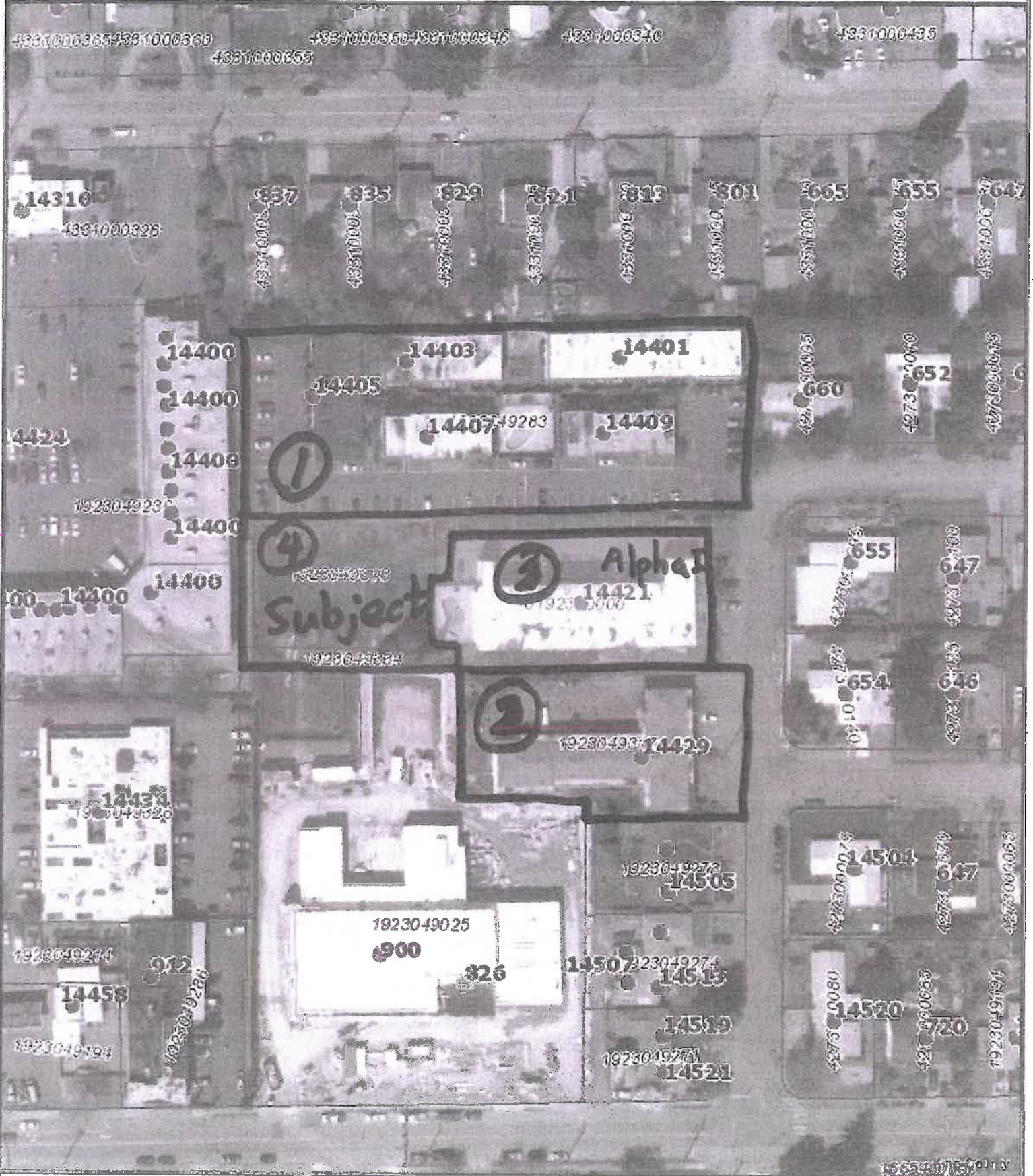
### **Notes:**

The above narratives are mostly focused for the two vacant lots; but it also applies to the parcel which has an existing 23 unit Condo building. The change of the zone for the Tax Parcel #192350000 is to make the current use Residential consistent with the zoning designation in Comprehensive Plan and Zoning Plan.

**< END >**

# King County

exhibit A



The information included on the map has been compiled by King County staff from a variety of sources and is subject to change without notice. King County makes no representations or warranties, express or implied, as to accuracy, completeness, timeliness, or rights to the use of such information. This document is not intended for use as a survey product. King County shall not be liable for any general, special, indirect, incidental, or consequential damages including, but not limited to, lost revenues or lost profits resulting from the use or misuse of the information contained on this map. Any sale of this map or information on this map is prohibited except by written permission of King County.

Date: 1/27/2015

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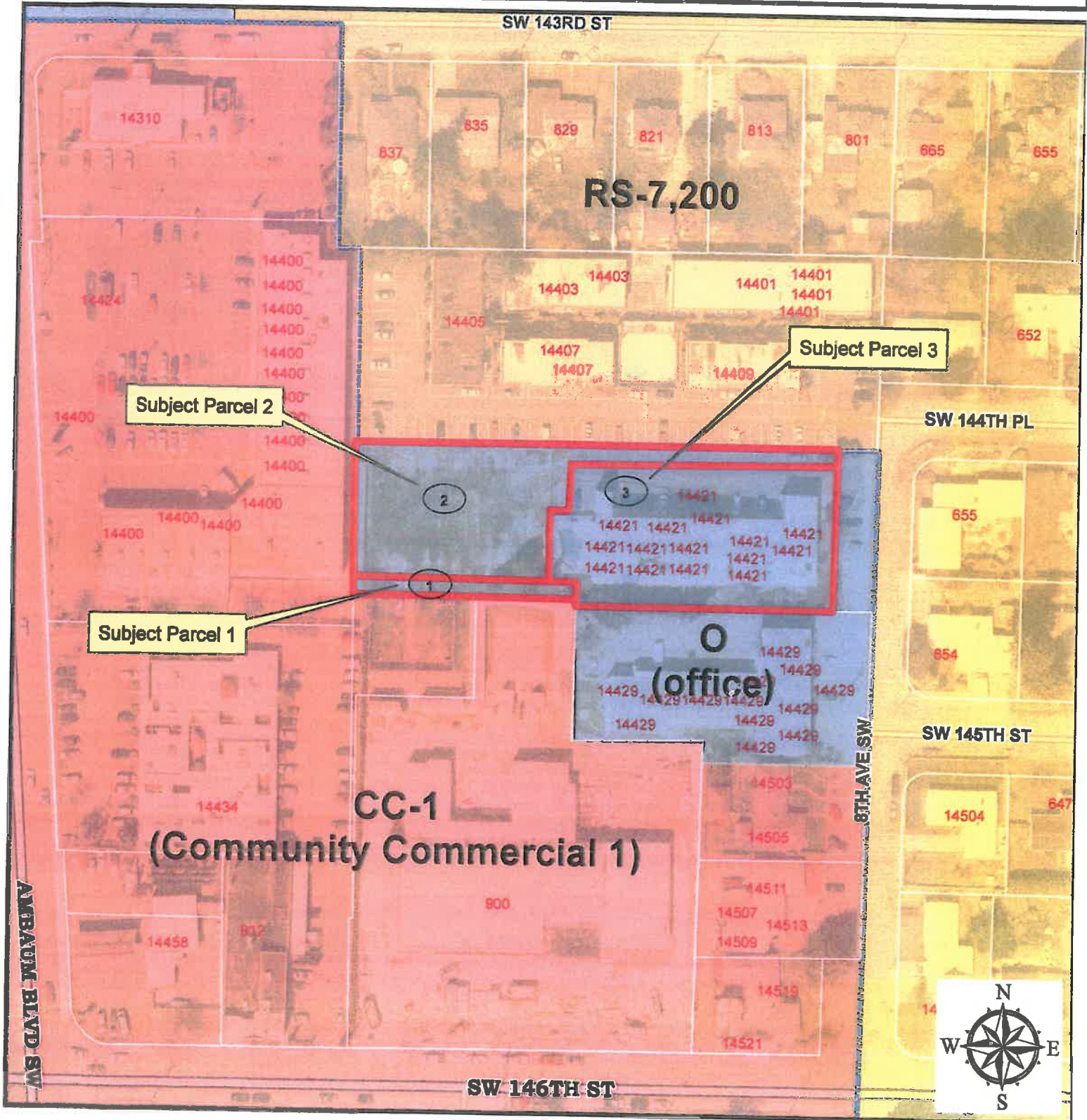
**King County**  
GIS CENTER



# MS Property Management Comprehensive Plan and Zoning Map Amendment Request File No. PLA 15-0391



## Vicinity Map



February 03, 2015

**Reinstate Prior Zoning Request**

<b>OWNERS:</b>	Anna and Rick Friel
<b>ADDRESS:</b>	11232 26th Ave S, Burien WA
<b>SITE AREA:</b>	1.65 Acres
<b>CURRENT ZONE:</b>	RS-7200
<b>REINSTATE PRIOR ZONE REQUESTED:</b>	RM-18

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**Comprehensive Plan Amendment Criteria**

**BMC 19.65.095.6 Criteria.** The City Council may approve or approve with modifications a Comprehensive Plan amendment if all of the following criteria are met:

A. The proposed amendment is the best means for meeting an identified public benefit.

**RESPONSE:** Multi-family zoning is already an established and a successfully functioning use as seen with Veranda Green; a 150 unit apartment complex that sits on 11+ acre site across the street to the west. The public benefits by having RM-18 zoning available for added moderate to middle-income housing in already established multi-family neighborhoods, as is the case with this property.

B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) plans, King County Countywide Planning Policies and Burien Comprehensive Plan.

**RESPONSE:** The property had been zone multi-family for 20+ years previously. Yes the proposed amendment is consistent with the overall intent of the related goals and policies of Burien's Comprehensive Plan, GMA, PSRC, and KCCPP, addition to, ensuring the availability of multi-family zoned land for housing for future growth.

C. The proposed amendment will result in a net benefit to the community

**RESPONSE:** RM-18 zoning would give the option to develop multi-family housing which will benefit both the people and the businesses in the Boulevard Park Commercial Centers (nodes) and the general Burien community.

D. The revised Comprehensive Plan will be internally consistent.

**RESPONSE:** As stated above, the revision request will be consistent with the multi-family apartment complex across the street west and property location near both the Boulevard Park Commercial Centers (nodes) and transit.

E. The capability of the land can support the projected land use

**RESPONSE: Yes. The 1.65 acre property had been zoned for multi-family use over 20 years by King County.**

F. Adequate public facility capacity to support the projected land use exists, or, can be provided by the property owner(s) requesting the amendment, or, can be cost-effectively provided by the City or other public agency

**RESPONSE: Adequate public facility capacity does indeed exist to support the requested amendment. The property is located within ¼ mile of transit routes #132 with frequent stops about every 20 minutes. As well as, the businesses in the Boulevard Park Commercial Centers (nodes), Rainier Golf and Country Club, Boulevard Park Library, Hilltop Park and both the Green River Trail and Cecil Moses Memorial Park (in Tukwila).**

G. The proposed amendment will be compatible with nearby uses.

**RESPONSE: As discussed previously above, it would be identical in zoning use to the apartment complex that adjacent the length of the property, across the street west.**

H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets.

**RESPONSE: Correct. It would not prevent. It would ensure there is sufficient land capacity zoned for multi-family to accommodate future growth as required by Growth Management Act. It meets the demands of a growing urban city.**

I. For a Comprehensive Plan land use map change, the applicable designation criteria for the proposed land use designation are met and either of the following is met:

- i. Conditions have changed since the property was given its present Comprehensive Plan designation so that the current designation is no longer appropriate; or,
- ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.

**RESPONSE: The property had been zoned multi-family since at least 1993. Given that the site is dominated by an 11+ acre apartment complex and SR-599, as well as its location near the Boulevard Park Commercial Centers and transit, the 1.65 acre property was inappropriately down-zoned in 2013 as single-family.**

## **SITE SPECIFIC REZONES**



BMC 19.65.090.3.C The City may grant a site-specific rezone only if all of the following criteria are met:

A. The rezone is consistent with the Comprehensive Plan.

**RESPONSE:** The proposed rezone to RM-18 multi-family would be consistent with the Comprehensive Plan.

B. The rezone will advance the public health, safety, or welfare

**RESPONSE:** The rezone would ensure the availability of multi-family zoned land to meet City's goals and objectives for future growth. Private underutilized large lots have no benefit to the public in a growing urban city. The proposed rezone would correct its zoning use to be beneficial to the community.

C. The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.

**RESPONSE:** No adverse environmental impacts. The stormwater that flows north on property line is not a fish/salmon run. Additionally, Burien has set-back construction restrictions when a site is near a stream, which would not alter the proposed property rezone.

D. The rezone is necessary because at least one of the following is met:

1. Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone, or

2. The rezone will correct a zone classification or zone boundary that was inappropriate when established, or

3. The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.

**RESPONSE:** As previously stated above in *Comprehensive Plan Amendment Criteria (I.)*, The rezone will correct a zone classification and zone boundary that was inappropriate when down-zoned in 2013. Property had been zoned multi-family for over 20 years. Given that the site is dominated by an 11+ acre apartment complex and SR-599, as well as its location near the Boulevard Park Commercial Centers and transit, the 1.65 acre property is inappropriately zoned as single-family.

## BACKGROUND

In August of 2014, property owners Anna and Rick Friel of 11232 26th Ave S Burien 98168, discovered that in 2013, the City of Burien designated an unrequested downzone on their 1.65 acre site from RM-18 (Multi-Family) to RS-7200 (Residential Single-Family).

Prior to the downzone in 2013, the 1.65 acre site had been zoned RM-18 since 1995 (under King County's Proposed Ordinance 94-737, which adopted new zoning to implement the 1994 Comprehensive Plan and Title 21A). Addition to, the property also had a previous zoning of RM-2400 since 1993. King County has no previous zoning records dating past 1993 for this site.

**Email from King County Records Department regarding zoning history on the site:**

**From:** "DPER, Records Mailbox" <dperrecords@kingcounty.gov>

**Subject:** DPER Research Request

**Date:** August 22, 2014 at 2:58:00 PM PDT

**To:** Anna Friel <mrsannafriel@gmail.com>

*Good afternoon:*

*I received the following information regarding zoning history for parcel no. 092304-9048, and for further historical research please visit*

*<http://www.kingcounty.gov/operations/archives/environmentalhistory/zoning.aspx#1BF55BBF852D487F925F4E6A302A5A91>*

*In 1993 the parcel was zoned RM-2400. In February 1995, as part of the Title 21 A zoning conversion the parcel was zoned R-18. This is considered a direct conversion that did not involve substantive change.*

*Thank you.*

*Erika*

**Records**

**Department of Permitting and Environmental Review**

**35030 SE Douglas St., Suite 210**

**Snoqualmie, WA 98065-9266**

**[DPERrecords@kingcounty.gov](mailto:DPERrecords@kingcounty.gov)**

The site is adjacent to SR 599 (10ft from property line east), a 150+ unit apartment complex that sits on 11+ acres (across the street west), single-family residence (1+ acre north) and a single-family residence (1+ acre south). Only these four lots characterize the 1/3 mile span (equal to about 3 city blocks) from where 26th Ave S begins from 116th Way to the greenbelt / neighborhood area on 26th Ave S.



**REINSTATE REZONE REQUEST**

According to the Growth Management Act (GMA), during the time the plan is open, citizens are allowed to request changes/amendments to the Plan, if there is reasonable cause for their request. Also, if a Planning Commission member or City Council member sponsors a request for a change/amendment to the Plan, the amendment can be brought forth without the citizen (s) having to pay a filing fee for the amendment to be put on the docket.

We (Anna and Rick Friel) are requesting a change/amendment to the Land Use Map for the reinstatement of our property's prior zoning RM-18 and to be placed on the docket by the Council for 2015 in consideration as "special planning area".

On the basis that;

1. We were never sent any notice prior to the zoning change to dispute before the amendment was passed.
2. Conflicting Land Use Map between our property and a similar property zoned for multi-family.
3. Our property resides next to an 11+ acre multi-family apartment complex and the freeway.
4. We haven't obtained a plausible reason from the City for the downzone to our site.

***A. "Property hasn't been used as multi-family for 20+ years"***

**RESPONSE:**

The property had one owner during the 20 years, until the property was sold to us in 2012.

***B. "Property is not walking distance to the Neighborhood Commercial Center areas."***

**RESPONSE:**

This is conflicting on three parts; one being, the property is walking distance (I know this because I walk there during the summer months). Secondly, a different SFR property located at 12010 26th Ave S\* is zoned RM-12 (multi-family) and is not walking distance to the Neighborhood Commercial Center areas. Thirdly, according to Goal BU.1 / Pol. BU.1.7, which refers to the Boulevard Park Commercial Center, states that customers would likely access these establishments by automobile or by transit (not by walking). See below/next page:

***Business***

***Goal BU.1***

***Provide a broad range of attractive and strategically located business activity centers/nodes that serve as focal points for employment, commerce and culture for their adjacent residential neighborhoods and the greater Burien area. The scale and intensity of uses at these locations shall be compatible with Burien's vision.***

***Pol. BU 1.7*** The Community Commercial designation recognizes the business orientation of some of the principal arterials, including Ambaum Boulevard Southwest, Boulevard Park and the Five Corners area. The designation allows moderate intensity commercial uses that serve the community. Customers would likely access these establishments by automobile or by transit. The range of allowed uses includes moderate intensity retail activities, professional offices, restaurants, entertainment, and services. Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the intensity of adjacent comprehensive plan land use designations. Business uses should be located on the ground floor.

***Pol. BU 1.4*** The Intersection Commercial designation allows for a variety of commercial uses of low to moderate density or intensity, located at major roadway intersections in close proximity to higher density uses, such as multifamily developments. Multifamily development in these areas may only be approved as part of a mixed use development with the appropriate unit density being based on the adjacent comprehensive plan land use designations. Customers are anticipated to either drive or walk to these establishments.

Additionally, in the most recent 2014 Comprehensive Plan Policy it states that the City should encourage multi-family residential uses not only within, but **near** designated commercial nodes. Which defines our property's location to the Boulevard Park commercial nodes.

## **2.4 HOUSING ELEMENT**

### **Goal HS.1**

*Encourage the provision of a variety of attractive, well-designed housing types and densities that reinforce and retain the character of the neighborhoods and meet the needs of existing and future City residents, while recognizing the need for a range of affordable housing.*

***Pol. HS 1.3*** The City should encourage multi-family residential uses **near** and within designated commercial nodes and within its urban center, subject to development standards and design guidelines.

\*I've also attached the Proposed Land Use/ Zoning Map of Boulevard Park from 2013. These documents show that the property located at 12010 26th Ave S (B.27) was designated to be zoned RS-7200 (single-family) to maintain its single-family residential neighborhood character in addition to the walking distance to the commercial centers.

B.24	O to CI	Changes zoning of one office-zoned parcel to Intersection Commercial, which is similar to other adjacent parcels along Des Moines Memorial Drive South. The change to CI ensures that development scale and use compliment and support the surrounding residential neighborhood near this more prominent intersection.
B.25	RM-12 to RM-18 (or CI)	A slight increase in density, and matches an adjacent zoning designation.
B.26	RM-12 to CI	The change fills in a gap in the commercial zone along a busy traffic corridor. See B.24 for rational for change to CI.
B.27	RM-12 to RS-7,200	<u>Maintains the single-family residential character found to the south and west of the area. Reinforces the practice of locating multi-family development within walking distance of neighborhood commercial centers.</u>
B.28	Comprehensive Plan Map Change	Change Comprehensive Plan Map from Moderate Density Residential Neighborhood to Public Parks/Schools and Open Space. All schools currently have this designation.
B.29	CR to RM-18	Matches zoning designation to the remainder of the parcel, which contains a multi-family development. This zoning line bisects a property; however, it appears to recognize there may be potential development that would be compatible with development at the base of the slope (in Tukwila and zoned C LI).
B.30	RM-12 to RS-7,200	Parcel is vacant. Reinforces the practice of locating multi-family development within walking distance of neighborhood commercial centers.
B.31	RS-7,200 to RM-18	Removes a spot zone.
B.32	Comprehensive Plan Map Change	Change Comprehensive Plan Map from Moderate Density Residential Neighborhood to Public Parks/Schools and Open Space. All parks have this designation.
B.33	RM-12 to O	Eliminates a spot zone and matches zoning of adjacent properties. It recognizes the location of the hospital across the street. Parcel is currently vacant.
B.34	RM-48 to O	Eliminates a spot zone and matches zoning of adjacent properties. It recognizes the location of the hospital across the street.
B.35	RM-12 to RM-18	Removes a single parcel zoning situation on a parcel that contains a single-family residence.
B.36	RM-24 to RM-18	Removes a single zone for a parcel on a property that contains a church. Religious facilities are an allowed use in the RM-18 zone.



CIRCLED IN BLACK (B27) IS THE PROPERTY LOCATED AT 12010 26TH AVE S, SHOWING AS RS-7200 WHICH WAS THE PROPOSED ZONING FOR THIS AREA DUE TO CHARACTER OF RESIDENTIAL NEIGHBORHOOD AND WALKING DISTANCE TO COMMERCIAL CENTERS.

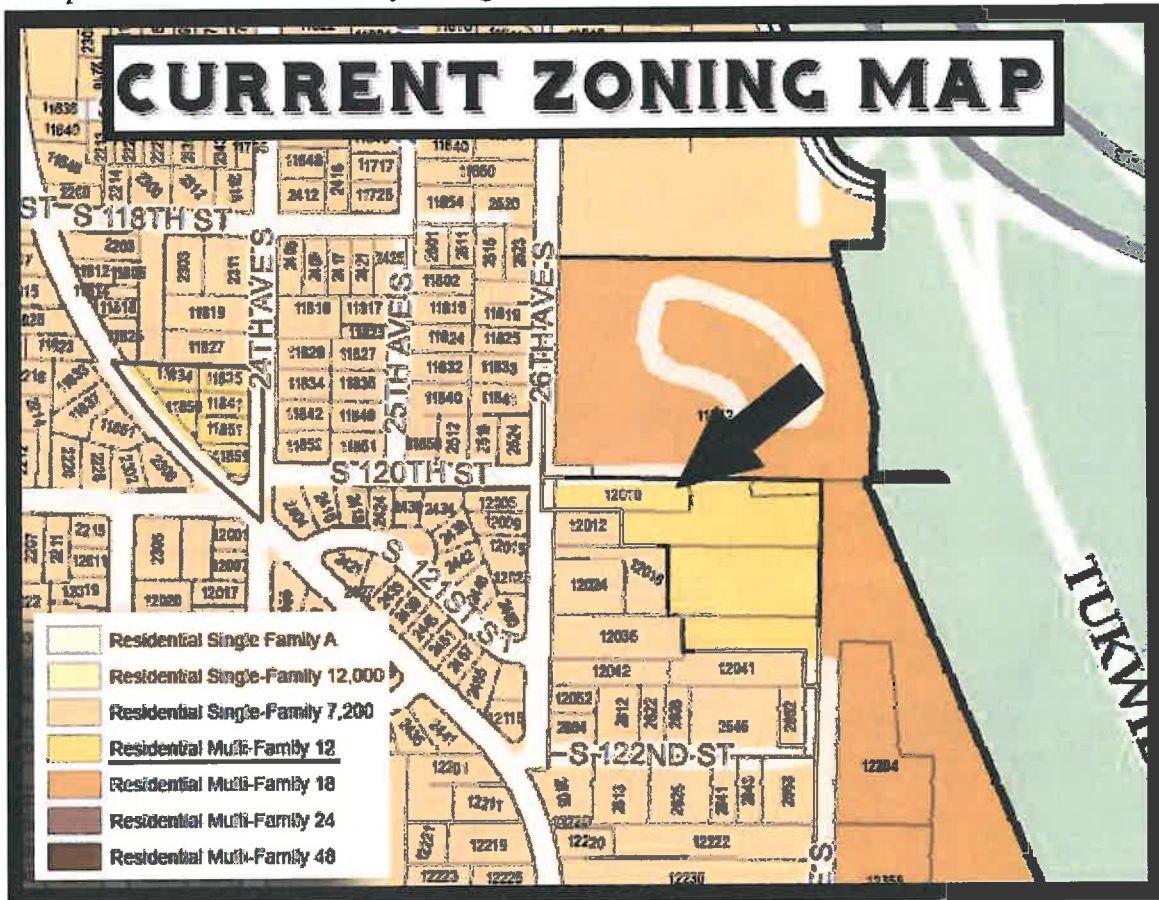
**CURRENT ZONING MAP**

**Legend:**

- Residential Single Family A
- Residential Single-Family 12,000
- Residential Single-Family 7,200
- Residential Multi-Family 12
- Residential Multi-Family 18
- Residential Multi-Family 24
- Residential Multi-Family 48

**Map Labels:**

- ST S 118TH ST
- 24TH AVE S
- 25TH AVE S
- 26TH AVE S
- S 120TH ST
- S 122ND ST
- TUKWILA





A continued example of the SFR property.

**12010 29th Ave S**  
 Seattle, WA 98166  
 Status: Active

**\$789,250**  
 Price

**2**  
 Beds

**1**  
 Baths

**1,730** Sq. Ft.  
 4492 / Sq. Ft.

Built: 1936   Lot Size: 1.87 Acres   Cumulative: 221 days   On Redfin: 72 days

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Questions? Call Lori's Team

2 of 5

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**Listing courtesy of Keller Williams Seattle Metro**

**BUILDER/INVESTOR ALERT!** 2 tax lots currently zoned Burien RM-12, front lot with existing 2 br/1 ba home rented MTM for \$1528. Combined lots provide a total of 81,311 sq. ft. (1.87 acres) of property. Keep the current tenants until your plat/permits are approved! Preliminary plat design for a community of 16 homes, filed with King Co. back in 2008. Revive the plans or create your own vision, similar to the apartment complex across the street. Buyer to verify all information.

**Property Type:** Residential  
Manufactured Manufactured Townhome

**Style:** 1 Story with Basement  
Conventional Conventional Basement

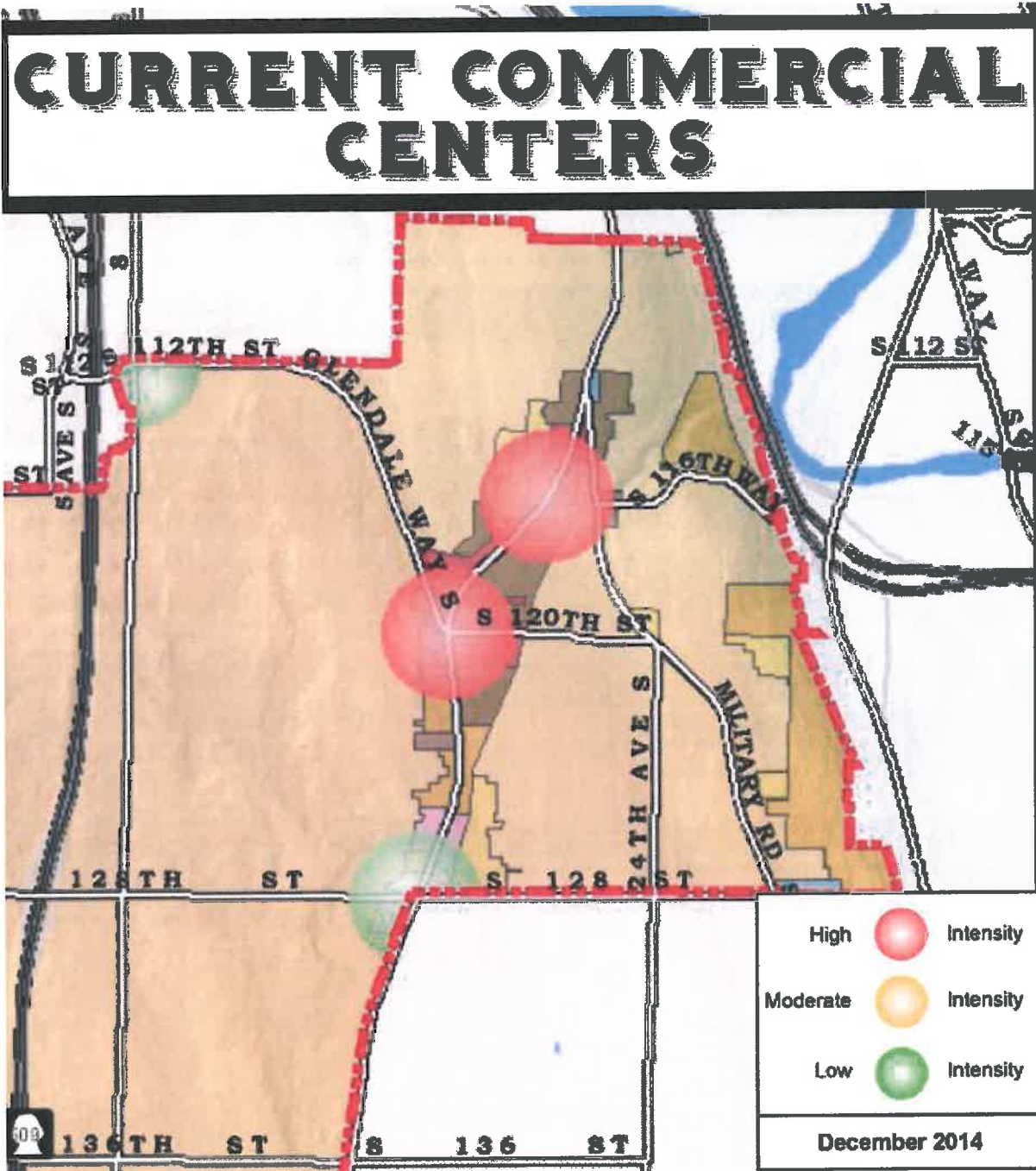
Map Satellite

Google [Map Data](#) [Terms of Use](#) [Report a map error](#)

[Expand Map](#) [Street View](#) [Panorama](#)

Please add a photo note about this home.

Current High Intensity Commercial Centers in Boulevard Park (red circles)



Additionally, the Proposed Land Use/ Zoning Map document states “parcel contains SFR” as the sole reason for **our property** (B.6) downzone. Which is inconsistent with the original reasons we were given by the City. Furthermore, the document had misrepresented our zoning to the Council when it was voted on by claiming RM-12 when in fact our zoning was RM-18.

B.5	RM-18 to RS-7,200	Matches zoning to existing uses (SFR) on land that is partially constrained by steep slopes.
➡ B.6	RM-12 to RS-7,200	The parcel contains a SFR. ?
B.7	RM-12 to RM-24	Match zoning to existing MFR uses and increase the RM-24 zone south to the geographic break (road). Adjust lines of the existing RM-24 zone to match property lines.
B.8	RM-18 to CC-2	Aligns the zoning boundary with the existing parcel lines.
B.9	RM-18 to RM-24 and RM-48 to RM-24	The properties on the north and south of South 116 <sup>th</sup> Street will now be more closely matched to existing MFR developments. Density and zoning designations on both sides of the street will now match. Existing RM-18 parcel to the south is vacant and will now match adjacent SFR zoning.
B.10	RM-12 to RM-24	Aligns the zoning designation with the parcel to the north (RM-24) and serves as a transition from the RM-48 zone to the south. Parcels are currently single-family or vacant (farm).
B.11	RM-24 to RM-48	The change places higher densities within a very comfortable walking distance of the commercial areas and the primary intersection of the neighborhood. A significant majority of the parcels are either vacant or contain single-family residences.
B.12	RM-12 to RM-48	The change places higher densities within a very comfortable walking distance of the commercial areas and the primary intersection of the neighborhood. A significant majority of the parcels are either vacant or contain single-family residences.
B.13	RM-12 to RS-7,200	Adjusts zoning boundary lines to match parcel lines.
B.14	RM-12 to RM-18	Aligns zoning boundary with existing parcel lines and slight increase in the size of the zone due to its proximity to the primary commercial intersection.
B.15	RM-12 to RM-24	The proposed change matches adjacent zoning and places higher densities near the commercial core. Topography should not be an issue if a development is designed to use hillside. Access could be difficult.
B.16	RM-12 to RS-7,200	Zoning change will now match existing development. All parcels are developed as single-family except one is a duplex. The duplex could possibly qualify as an ADU.
B.17	RM-12 to CC-2	Eliminates spot zone for existing library. Implements logical zoning boundaries for the entire block.
B.18	RM-18 to CC-2	Current zoning boundary splits a parcel.
B.19	RM-12 to RM-18	Proposed change matches adjacent zoning designation while also increasing density taking into consideration the proximity to the commercial center.
B.20	RM-12 to RM-48	The change places more units within a very comfortable walking distance of the commercial areas and the primary intersection of the neighborhood. A significant majority of the parcels are either vacant or contain single-family residences. Parcel sizes considered in zone change as well.
B.21	RM-12 to RM-18	The area serves as a transition from the higher density (RM-48) to the north. Parcels in this area are generally smaller, which is generally compatible to lower-intensity development from a site design perspective.
B.22	RM-12 to RM-18	Change implements a zone transition from a high traffic corridor to the established residential neighborhoods.
B.23	RM-12 to RM-18	A slight increase in density of four parcels and that would now match adjacent zoning designations on the same side of the street and across DMD.

We ask the City to not take away our property rights and please reinstate our zoning back to RM-18. The City's RS-7200 zoning has greatly devalued our 1.65 site. Which is a sizable amount of (now) underutilized land near the High Intensity Commercial Areas in Boulevard Park, and to mention, the City of Seattle.

The case study below shows how damaging incorrect zoning can be to city growth when not taking in consideration the surrounding areas and proximities;... airport... freeway... etc. Due to our proximity to SR 599, our property will never be used as a single family housing development. Simply because there would be no interest to develop the land as such that borders a freeway (whereas, that's not the case with multi-family development). I would think this is not in compliance with the Growth Management Act or the King County Countywide Policies for an efficient use of urban land since this is an inappropriate conversion to low-density development.

#### **4.1.4 Planning Areas and Patterns of Growth:**

*As in the case of the Highline study area, multifamily housing complexes have dominated new housing growth over the last 15 years. Within Burien, multifamily housing is primarily located near the city center and the area south of Highway 518 and east of Highway 509. The lack of growth of single family development has not been due to the lack of opportunity, since substantial infill opportunity exists under county zoning. Instead, this lack of growth is due more to the adverse impact of the heavy air shadow from the airport. For example, the northeastern area of the City could accommodate several times its current number of single family units. However, because of its close proximity to the airport runways and flight path, this development potential has not been achieved.*

In closure of this rezone request, I want to ask the City:

How does our RS-7200 downzone bear a reasonable and substantial relation to the public health, safety, comfort, and general welfare? How does it advance? How is it a net benefit to the community? To the 20 year or 40 year vision? To growth?

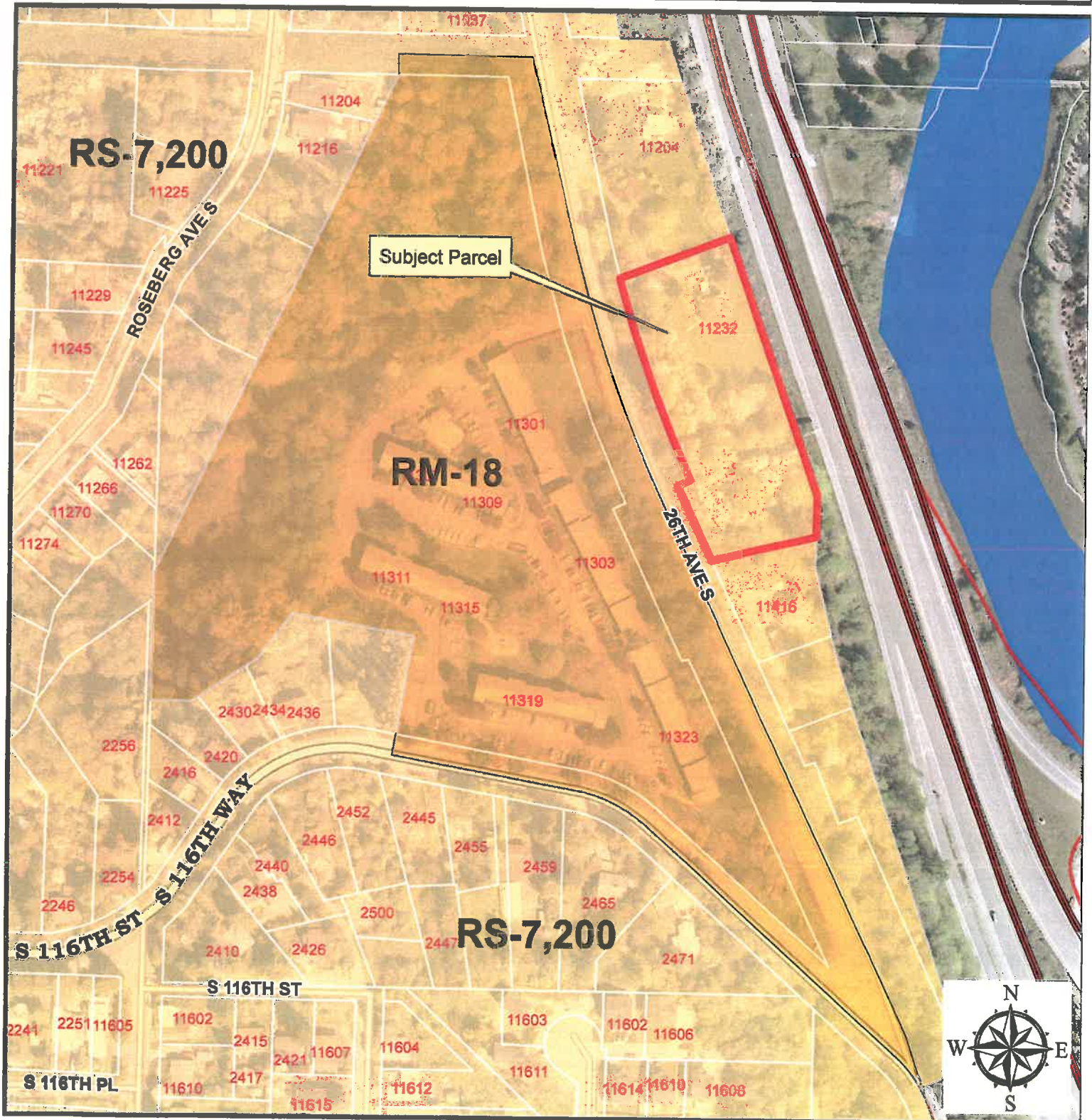
Thank you  
Anna Friel



**Friel**  
**Comprehensive Plan and Zoning**  
**Map Amendment Request**  
**File No. PLA 15-0430**



**Vicinity Map**



# **COMPREHENSIVE PLAN MAP AMENDMENT and REZONE REQUEST REVIEW CRITERIA**

- A. The proposed amendment is the best means for meeting an identified public benefit.***
- B. The proposed amendment is consistent with the Growth Management Act, applicable Puget Sound Regional Council (PSRC) Plans, King County Countywide Planning Policies and Burien Comprehensive Plan.***
- C. The proposed amendment will result in a net benefit to the community.***
- D. The revised Comprehensive Plan will be internally consistent.***
- E. The capability of the land can support the projected land use.***
- F. Adequate public facility capacity to support the projected land use exists or, can be provided by the property owner(s) requesting the amendment, or can be cost-effectively provided by the City or other public agency.***
- G. The proposed amendment will be compatible with nearby uses.***
- H. The proposed amendment would not prevent the City from achieving its Growth Management Act population and employment targets.***
- I. For a Comprehensive Plan map change, the applicable designation criteria are met and either of the following is met:***
  - i. Conditions have so markedly changed since the property was given its present Comprehensive Plan designation that the current designation is no longer appropriate; or,***
  - ii. The map change will correct a Comprehensive Plan designation that was inappropriate when established.***

## **Applicable Comprehensive Plan Designation Criteria**

### **High Density Multi-family Neighborhood**

- 1. The area is already primarily characterized by multifamily residential uses at 18 or more units per acre.***
- 2. The area is within 1/8 mile of moderate and high commercial service nodes (shown on Figure 2 LU-3, Commercial Nodes) as measured along an arterial. The designation is***

*also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.*

3. *The area is located within ¼ mile of a transit route with peak transit frequency of at least every 10-20 minutes.*
4. *The area does not have critical areas, except critical aquifer recharge areas.*
5. *The area is located adjacent to or has adequate access to a primary or minor arterial.*
6. *The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.*

#### Moderate Density Multi-family Neighborhood

1. *The area is already primarily characterized by multi-family residential development at 12-24 dwelling units per acre or more.*
2. *The area is within 1/8 mile of moderate and high commercial service node (as shown on Figure 2 LU-3, Commercial Nodes) as measured along an arterial. The designation is also appropriate within the urban center boundary or within 1/8 mile of the urban center boundary as measured along an arterial.*
3. *The area is located within ¼ mile of a transit route with peak transit frequency of at least every 10-20 minutes.*
4. *The area does not have critical areas, except critical aquifer recharge areas.*
5. *The area is located adjacent to or has adequate access to a primary or minor arterial.*
6. *The area is served by adequate and/or planned recreational facilities such as athletic fields or playgrounds.*

### **REVIEW CRITERIA FOR A REZONE**

- 1. *The rezone is consistent with the Comprehensive Plan.***
- 2. *The rezone will advance the public health, safety or welfare.***
- 3. *The rezone will not have significant adverse environmental impacts that are materially detrimental to adjacent properties or other affected areas.***
- 4. *The rezone is necessary because at least one of the following is met: a) Conditions in the immediate vicinity or neighborhood have changed so that it is in the public interest to approve the rezone; or b) the rezone will correct a zone classification or zone boundary that was inappropriate when established; or c) The rezone is necessary to achieve consistency with the Comprehensive Plan land use map.***

# **CITY OF BURIEN, WASHINGTON**

## **MEMORANDUM**

**DATE:** September 16, 2015

**TO:** Burien Planning Commission

**FROM:** David Johanson, AICP, Senior Planner

**SUBJECT:** Comprehensive Plan Miscellaneous Amendments, Introduction.

---

### **PURPOSE**

The purpose of this agenda item is to introduce to the Planning Commission proposed miscellaneous amendments to the comprehensive plan. The presentation at the meeting will serve as an introduction to the plan amendments.

### **BACKGROUND**

The City of Burien adopted its first Comprehensive Plan in 1997 and in 2014 the City completed a major update to the plan in order for it to be consistent with updates to the Growth Management Act, regional planning and county planning documents. Based on recommendations by the Planning Commission, on April 20, 2015 the City Council passed resolution No. 363 establishing the 2015-2016 Comprehensive Plan Amendment Docket and Work Program.

### **PROPOSED AMENDMENTS**

The following is a list of proposed amendments followed by a brief description of the item and the rational.

#### **1. Update Figure TR 2.5, Primary Truck routes (docket item No. 30).**

The figure is being proposed to be amended because the City has adopted Ordinance No. 598 which amended the Primary truck route map. The ordinance was adopted in March of 2014. The revised map will align the comprehensive plan with the adopted ordinance. Please see Attachment 1.

#### **2. Update Map 2 LU-2 and Figure 2-PRO1 to include North Burien (docket item No. 3).**

Some maps and figures in the current plan have not been updated to align with the city boundaries following the annexation of the North Highline area that occurred in 2010. The maps have now been updated with the revised boundaries and other pertinent information. Figure 2 LU-2 is still in the process of being updated and will be available either at the meeting or in the next meeting packet. Please see Attachments 2 and 3.

#### **3. Amend Figure 2-EV1 – Sensitive/Critical Areas Map.**

Amend the map to include the map adopted along with updates the BMC 19.40, critical areas as adopted by Ordinance No. 623 in June of 2015. The primary changes include the addition of the wetland in Seahurst Park and updated stream buffers. Please see Attachment 4.



#### **4. Amend Map LU-1 correcting a land use designations.**

In 2014 land use designations on the comprehensive plan land use map (Map LU-1) were revised along with zoning designations in the annexation area. These map amendments were completed in concert with revisions to the land use element policies establishing designation criteria. As a part of that process a new land use designation was created. The new designation (Moderate Density Multi-Family Neighborhood) was created to establish land use designation criteria aligning with the RM-24 zone while the High Density Multi-Family Neighborhood designation was amended to set forth land use designation criteria for the RM-48 zone. The zoning maps adopted at that time accurately reflected the desired land use intensities in many areas within the City however the comprehensive plan Map LU-1 did not capture the intended changes. Specifically the new Moderate Density Multi-Family Residential Neighborhood designation was inadvertently omitted from the comprehensive plan land use map, Map LU-1.

The proposed map amendment will accurately apply the intended land use categories in the correct locations for both the Moderate Density Multi-Family Residential Neighborhood and the High Density Multi-Family Residential Neighborhood on Map LU-1. The changes will align the zoning and comprehensive plan maps. Please see Attachment 5.

#### **5. Include a Regional Planning coordination paragraph (docket item No. 10).**

The Puget Sound Regional Council staff provided a comment following the completion of Burien's required comprehensive plan update effort that concluded in 2014. In that letter PSRC staff requested that Burien's plan include a statement how Burien's plan addresses regional policies and provisions of VISION 2040. The complete comment is as follows:

*VISION 2040 calls for local plans to include a context statement that describes how the plan addresses regional policies and provisions adopted in VISION 2040. Examples of context statements are provided in PSRC's Plan Review Manual, page 2-1. Staff is also available to point to examples adopted in local comprehensive plans.*

To satisfy this request the following language is proposed to be included in the comprehensive plan in the Section 2.1, Introduction. Please see the amended text in Attachment 6.

#### **6. Address Climate Change (docket item No. 10).**

In a comprehensive plan amendment review comment letter the Puget Sound Regional Council (PSRC) staff requested that Burien include policy language regarding climate change into our comprehensive plan. This desire was also echoed by the City Council during previous docketing processes. The PSRC comment is as follows:

*The multicounty planning policies in VISION 2040 and the strategies in Transportation 2040 call for reducing greenhouse gas emissions and adapting to impacts related to climate change. The plan could be strengthened by addressing MPPs related to climate change, such as adding provisions for developing and implementing transportation modes and technologies that are energy-efficient and improve system performance (MPP-T-6).*

In February of 2015 the City Council passed Resolution No. 362 with authorizing the City Manager to sign an inter-local agreement to join the King County-Cities Climate Collaboration or K4C. K4C is an entity comprised of the King County and the participating King County cities (13 as of September 2015) for the purpose of working together to respond to climate change and to reduce global and local sources of climate pollution. K4C would focus efforts on sharing information and educating the public and government agencies on the issue of climate change, collaborating on adopting consistent planning standards and strategies related to climate change, and securing funding and resources opportunities to support climate change related projects and programs. Attached is a Joint Letter of Commitment

containing principles of collaboration and a list of joint County-City Climate Commitments (see attachment 7).

The plan currently contains numerous related climate change policy language. See attachment 8 for a compilation of topic related language.

The following policy language options are recommended for inclusion in Burien's Comprehensive Plan.

**Pol. SU 6.1** Burien should take actions to both mitigate and adapt to climate change. Actions may include maximizing energy efficiency by increasing use of renewable energy resources, supporting green building initiatives, reduce greenhouse gas emissions of city vehicles, reduce motor vehicle miles traveled by improving convenience and safety of nonpolluting transportation modes such as bicycling and walking, protect and enhance the natural landscape and vegetation, and support recycling and waste reduction.

AND/OR

**Pol. SU 6.2** Continue to partner with regional agencies such as the King County Cities Climate Collaboration, to monitor and take actions to reduce impacts of climate change.

### **ACTION**

**No formal action is necessary at this time.**

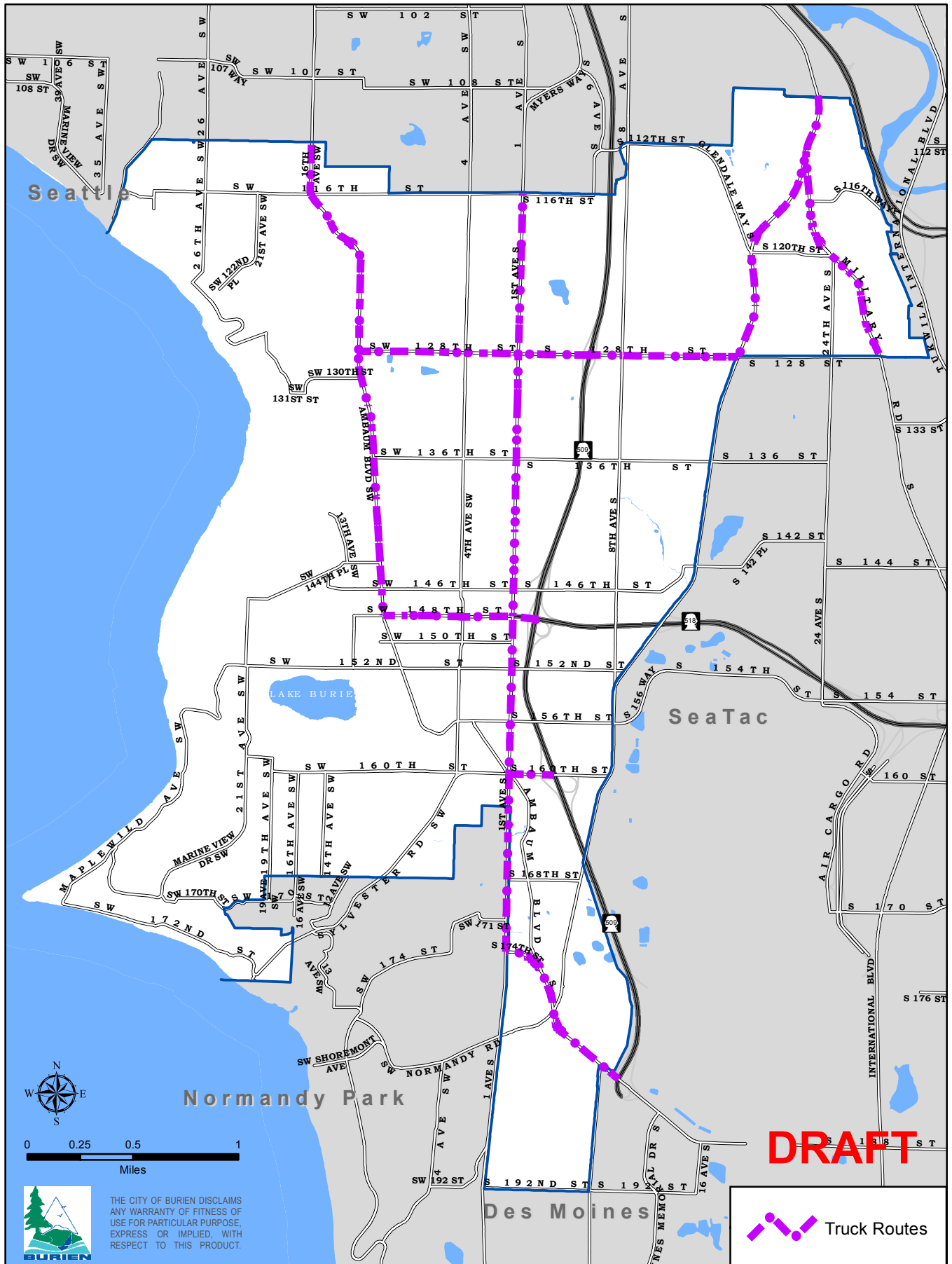
Staff is requesting that the Planning Commission review and discuss the information provided in the staff memo.

### **NEXT STEPS**

At the next meeting we will continue discussions regarding the proposed amendments. Ultimately the Planning Commission will make a recommendation on proposed plan amendments to the City Council.

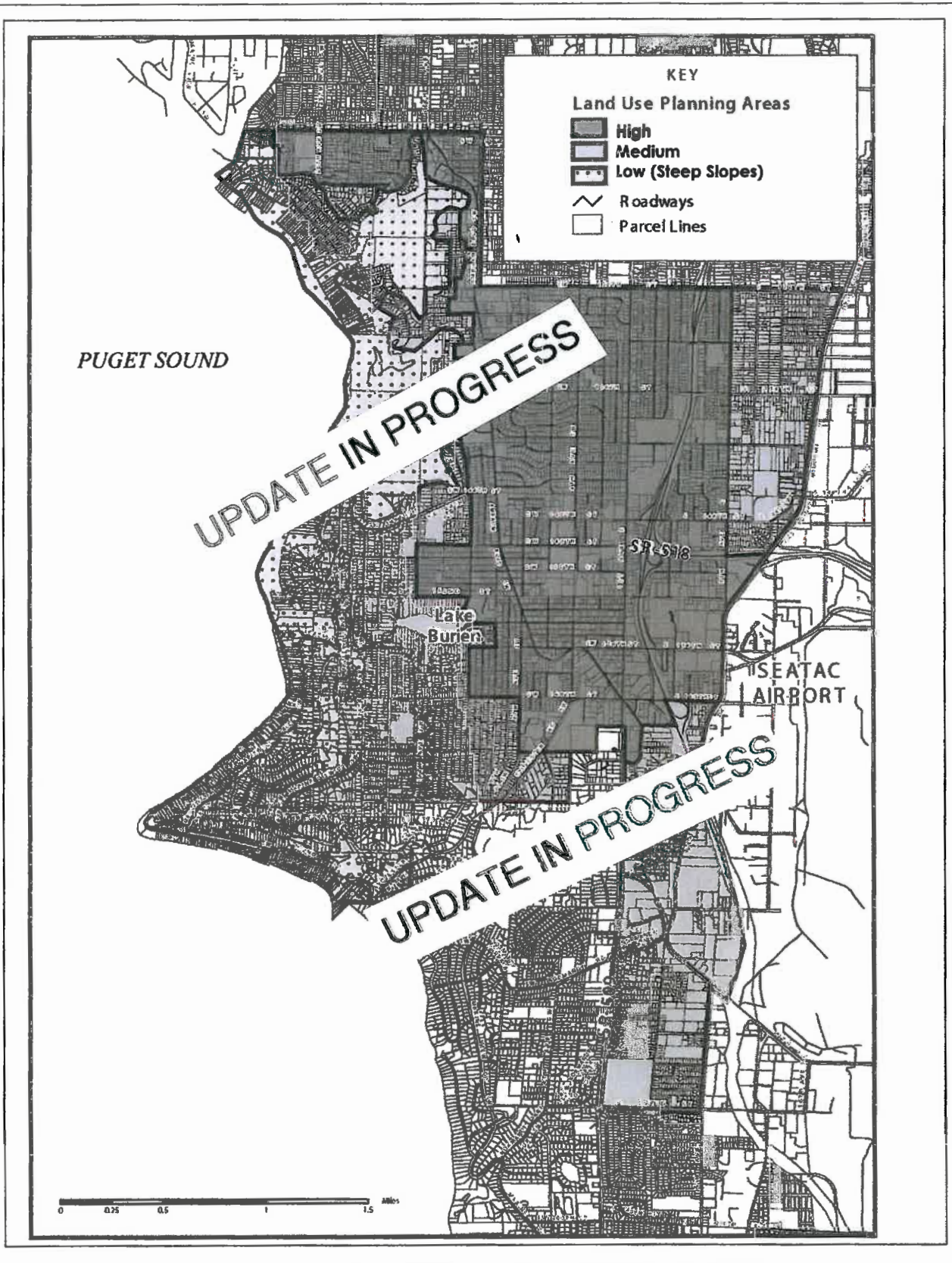
### **Attachments:**

- 1) Figure TR 2.5, Primary Truck Routes
- 2) Map 2 LU-2, Planned Land Use Intensity (update in progress).
- 3) Figure 2-PRO1, Parks Recreation and Open Space
- 4) Figure 2-EV1, Sensitive/Critical Areas Map
- 5) Map LU-1, Comprehensive Plan Land Use Designation Map
- 6) Comprehensive Plan Section 2.1, Introduction
- 7) King County Cities Climate Collaboration, Joint Letter of Commitment
- 8) Climate Change Related Comprehensive Plan Goals, Policies and Objectives



**Figure 2-TR2.5 - Primary Truck Routes**

**December 2015**



**Figure 2LU-2 - Planned Land Use Intensity**

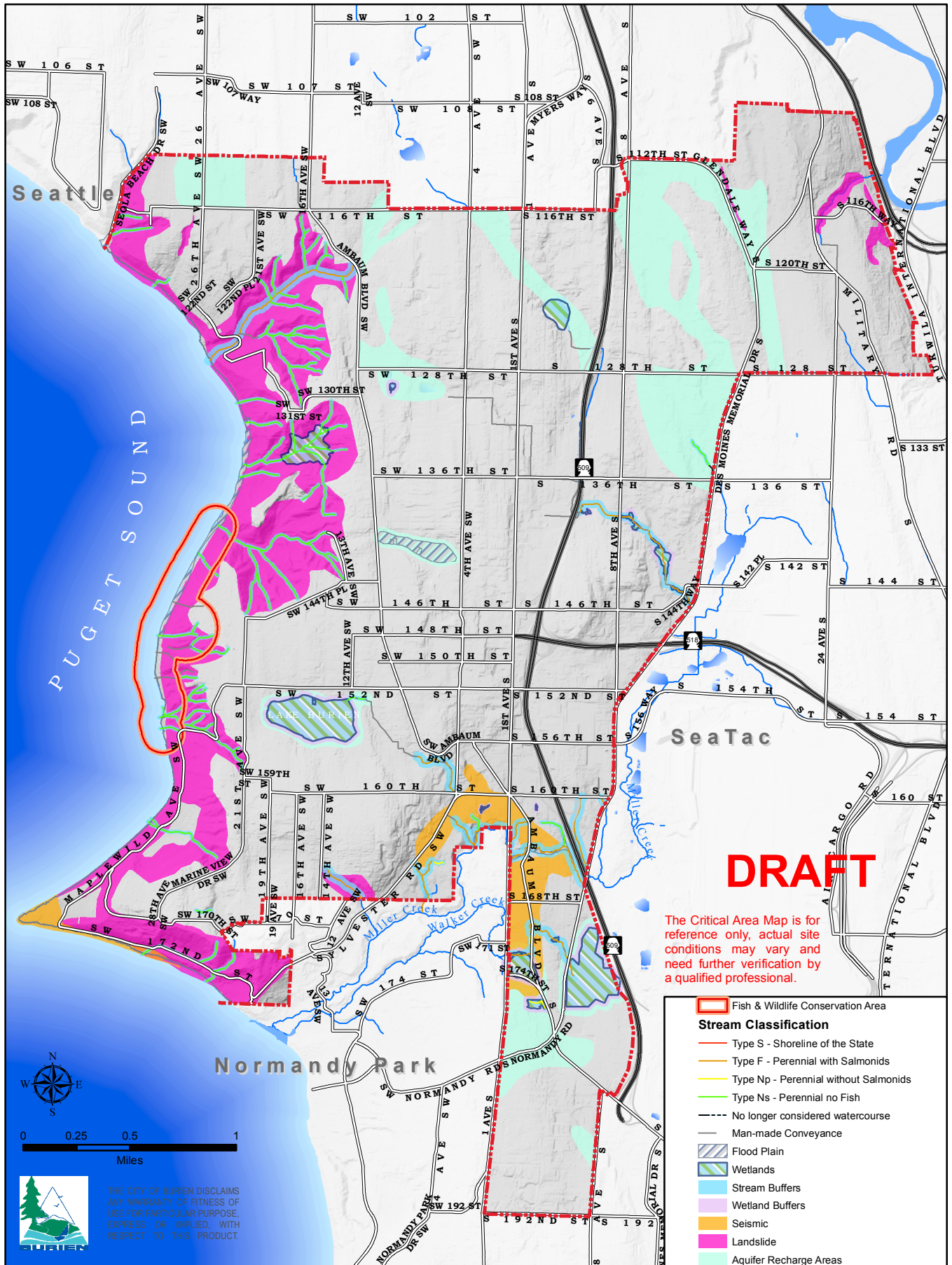
November 2003



Source: King County GIS 2003  
p/1e066.01 Burien Crit\_Comp/Graphics/Figures/FinalPDFs/Figure2LU2.pdf









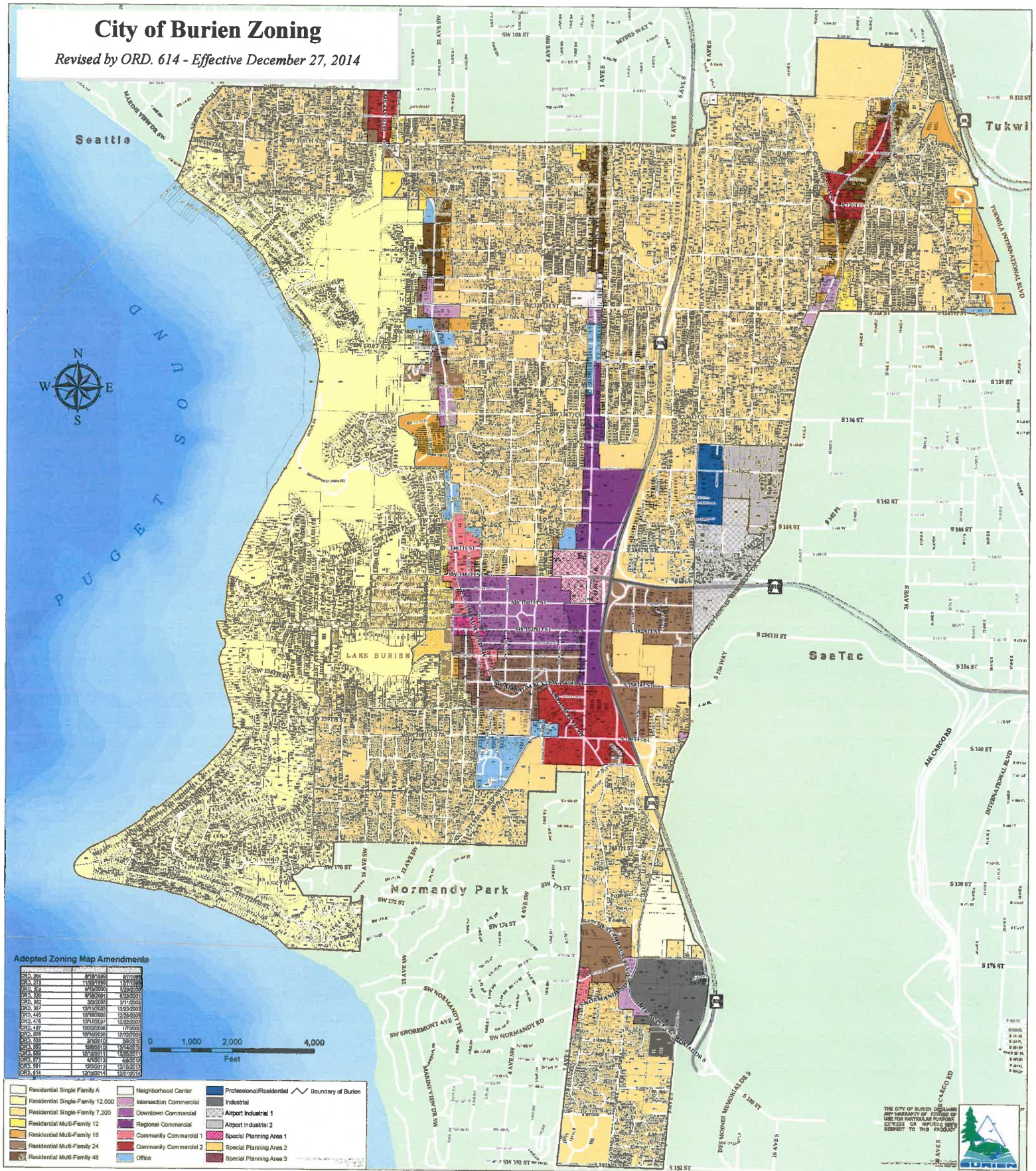
*Revised by ORD. 614 - Effective December 27, 2014*





# City of Burien Zoning

Revised by ORD. 614 - Effective December 27, 2014





## 2.1 INTRODUCTION

The Burien Vision can only be achieved and sustained through the coordinated action of the entire community. The policies of the Burien Plan set forth in this chapter provide the long-term guidance necessary for such action. The comprehensive plan was developed to also align with the regional vision and addresses each of the policy areas in VISION 2040. It contains policies that address habitat protection, water conservation, air quality, and climate change.

Burien desires to advance environmentally friendly development techniques while also accommodating regionally established residential and employment targets out to 2035. With ever increasing pressure on transportation networks and the environment, a sustainable planning approach is used to accommodate anticipated growth. One of the primary goals of this plan is to achieve more compact urban development within the designated urban center and in identified commercial nodes in order to maintain our well established residential neighborhoods. One technique that is included in the plan is to direct compact mixed use development toward downtown and strategically located commercial nodes along existing transit corridors throughout the city. This approach promotes more efficient use of available land and provides opportunities for employment and housing growth available to a variety of income levels.

~~One of the~~ Another key objectives of the plan is to create a “sustainable community.” A sustainable community is a place where people want to settle and live. It is also a community where members have an environment that promotes public health and vitality of the community and where quality residential neighborhoods and commercial areas attract and retain long-term businesses and shoppers. In a sustainable community, the pattern and quality of development is more important than the amount of growth. In older, more developed communities like Burien, the framework and tradition for a compact and efficient community is well established - the plan builds on this asset.

Policies in this chapter seek to develop a sustainable community by:

- maintaining and enhancing the viability of our neighborhoods, including protecting our existing housing stock;
- enhancing the downtown area, including reusing existing structures, facilities, and infrastructure and modifying them according to our current needs and technology; and
- balancing community needs for capital facilities and services with the ability to finance them.

Collectively these policies emphasize a pattern of development that reinforces Burien’s small town character and supports the character of existing neighborhoods as seen in Figure 2-LU2. In our neighborhoods, development will be designed to retain the neighborhood’s character, as that character is defined by each neighborhood under its Neighborhood Plan. Potential residential densities may also be restricted in areas with environmental constraints (such as aquifer recharge areas, landslide hazard areas, seismic hazard areas, wetlands, stream buffers, shorelines and flood hazard areas) or inadequate infrastructure, including inadequate levels of service for public services (Figure 2-EV1).

Where appropriate, the City will encourage and support the use by individual property owners of alternatives to development. Such alternatives may include transfer of development rights (“TDR”) to the downtown and other appropriate areas, conservation easements, open space tracts, and other mechanisms designed to permanently eliminate development. In cases where individual neighborhoods have reduced the development capacity through the use of covenants, the City will support the conversion of those covenants to conservation easements or other suitable mechanisms. Each time a development right is exercised in this or a like manner the development potential of the area will be commensurately reduced. The City will implement administrative programs designed to educate and facilitate the use of these mechanisms and present these programs to the neighborhoods during the neighborhood planning process.

These policies promote new commercial development and residential development in the downtown area and encourage the type of development that will make downtown an attractive and vibrant place to work, shop, live and recreate. The plan envisions a downtown with the types of activities and uses that will enhance the distinctiveness and vitality of downtown while preserving its small town character. Special attention will be given to the scale and design of buildings to achieve this vision. An important part of these policies is promoting economic development in the downtown by encouraging mixed-use development. Pedestrian activity and transit access is also encouraged and emphasized in these areas.

The Comprehensive Plan goals and policies set forth in this chapter reflect the long-term objectives described during the community visioning process and Planning Commission meetings over the past several years. These policy statements along with the land use map will become the foundation for Burien’s specific guidelines for how to conduct business, make zoning decisions, create annual and long-term budgets, and prioritize city functions over the next twenty years.

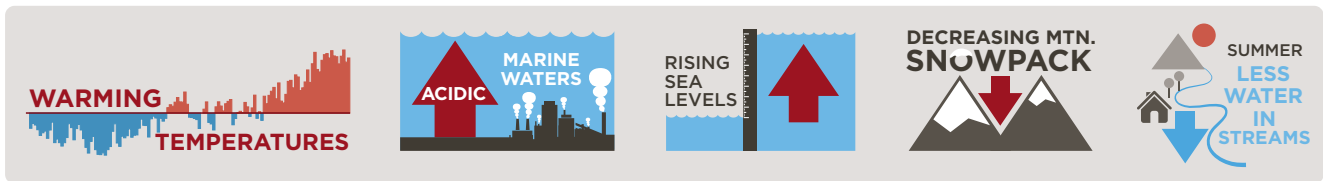
The Plan’s policies contained in this chapter are organized according to Planning Element.

This element [land use] of the comprehensive plan contains land use designation criteria that are to be used to evaluate proposed changes to the land use designation map (Comprehensive Plan Map LU-1). The city recognizes the existing land use pattern as identified on the map. The land use designation criteria are to be applied in the consideration of future map amendments.

## Joint Letter of Commitment: Climate Change Actions in King County

Climate change is a paramount challenge of this generation and has far-reaching and fundamental consequences for our economy, environment, public health, and safety.

Across King County and its cities, we are already experiencing the impacts of climate change: warming temperatures, acidifying marine waters, rising seas, decreasing mountain snowpack, and less water in streams during the summer.



These changes have the potential for significant impacts to public and private property, resource based economies like agriculture and forestry, and to residents' health and quality of life.

The decisions we make locally and regionally, such as where our communities will grow and how they will be served by transportation, will set the stage for success or failure in reducing carbon pollution, making sound long-term investments, and ensuring our communities are livable and resilient to climate change impacts.

Current science indicates that to avoid the worst impacts of global warming we need to reduce global greenhouse gas emissions sharply. The King County Growth Management Planning Council – a formal body of elected officials from across King County - voted unanimously on July 23, 2014 to adopt a shared target to reduce countywide sources of greenhouse gas (GHG) emissions, compared to a 2007 baseline, by 25% by 2020, 50% by 2030, and 80% by 2050.

Based on our shared assessment of emissions in King County, and review of potential strategies to reduce emissions, we believe that these targets are ambitious but achievable.

Building on the work of the King County-Cities Climate Collaboration (K4C) - a partnership between the County and cities to coordinate and enhance local government climate and sustainability efforts – more than a dozen cities and the County came together in the first half of 2014 to chart opportunities for joint actions to reduce GHG emissions and accelerate progress towards a clean and sustainable future.

The attached **Principles for Collaboration** and **Joint County-City Climate Commitments** are focused on practical, near-term, collaborative opportunities between cities and King County. These shared commitments build on the significant work that many of our cities and County are already taking. By signing this letter, we pledge our support for the shared vision that these principles and actions represent. Our cities commit to actively pursue those strategies and catalytic actions where our jurisdictions can make the most impact given our size, location, and development patterns.

Through focused, coordinated action, we will maximize the impact of our individual and shared efforts.





# KING COUNTY-Cities

CLIMATE COLLABORATION

## Elected Officials of King County and King County Cities

Dow Constantine  
King County Executive

Larry Phillips  
King County Council Chair

Bruce Bassett  
Mayor, City of Mercer Island

Matthew Larson  
Mayor, City of Snoqualmie

Shari E. Winstead  
Mayor, City of Shoreline

Jim Haggerton  
Mayor, City of Tukwila

Edward B. Murray  
Mayor, City of Seattle

Denis Law  
Mayor, City of Renton

Amy Walen  
Mayor, City of Kirkland

John Marchione  
Mayor, City of Redmond

Fred Butler  
Mayor, City of Issaquah

Claudia Balducci,  
Mayor, City of Bellevue

Tom Vance  
Mayor, City of Sammamish



## Principles for Collaboration

- 1 Climate change is the paramount challenge of our generation, and has fundamental and far-reaching consequences for our economy, environment, and public health and safety.
- 2 Strong action to reduce GHG emissions is needed, and the time is now.
- 3 Local governments can reduce greenhouse gas (GHG) emissions through many decisions related to transportation and land use, energy and green building, forests and farms, and consumption and materials management.
- 4 Many cities in King County have set individual climate goals and are taking steps to reduce local GHG emissions, and we need to build on this leadership.
- 5 Local solutions need to be implemented in ways that build a cleaner, stronger and more resilient regional economy.
- 6 Progress will require deeper engagement with communities of color and low income, immigrant, and youth populations. These communities can be more vulnerable to the impacts of climate change—from increasing flood risks to rising costs of fossil fuels – and historically less likely to be included in community-scale solutions or as leaders. We are committed to work in ways that are fair, equitable, empowering, and inclusive and that also ensure that low income residents do not bear unfair costs of solutions.
- 7 Federal and state policies and laws can help us achieve our goals, but countywide and local policy, programs and partnerships are needed to fill the existing gap to achieve local GHG targets.
- 8 Progress will require deep partnerships between the County, cities, utilities, businesses, nonprofit organizations, and other public sector agencies.
- 9 King County and nine cities have formed the King County-Cities Climate Collaboration (K4C), and we will work to build on this initial pledge, both in increased action and increased participation from additional cities.
- 10 We can accomplish more with a shared vision and coordinated action; collaboration will increase the efficiency of our efforts and magnify the impact of our strategies beyond what each of us could achieve on our own.
- 11 Our cities support the shared vision that the Joint County-City Climate Commitments represent, but it is not the intention that each city will pursue every catalytic action. Cities and King County will actively pursue strategies where they have the most impact and influence.
- 12 We will reconvene at least annually to share progress. We also dedicate a staff point person from our cities and from the County to help coordinate implementation of the following Joint County-City Climate Commitments, and to serve as a point person to the K4C.



## Joint County-City Climate Commitments ●○○○



### I. Shared Goals

**Pathway:** Adopt science-based countywide GHG reduction targets that help ensure the region is doing its part to confront climate change.

**Catalytic Policy Commitment:** Collaborate through the Growth Management Planning Council, Sound Cities Association, and other partners to adopt countywide GHG emissions reduction targets, including mid-term milestones needed to support long-term reduction goals.

**Catalytic Project or Program:** Build on King County's commitment to measure and report on countywide GHG emissions by sharing this data between cities and partners, establishing a public facing dashboard for tracking progress, and using the information to inform regional climate action.



### II. Climate Policy

**Pathway:** Support strong federal, regional, state, countywide and local climate policy.

**Catalytic Policy Commitment:** Advocate for comprehensive federal, regional and state science-based limits and a market-based price on carbon pollution and other greenhouse gas (GHG) emissions. A portion of revenue from these policies should support local GHG reduction efforts that align with these Joint County-City Climate Commitments, such as funding for transit service, energy efficiency projects, and forest protection and restoration initiatives.



### III. Transportation and Land Use

**Pathway:** For passenger vehicles and light trucks, reduce vehicle miles traveled by 20% below 2012 levels by 2030 and GHG emissions intensity of fuels by 15% below 2012 levels by 2030.

**Catalytic Policy Commitment:** Partner to secure state authority for funding to sustain and grow transit service in King County.

**Catalytic Policy Commitment:** Reduce climate pollution, build our renewable energy economy, and lessen our dependence on imported fossil fuels, by supporting the adoption of a statewide low carbon fuel standard that gradually lowers pollution from transportation fuels.

**Catalytic Policy Commitment:** Focus new development in vibrant centers that locate jobs, affordable housing, and services close to transit, bike and pedestrian options so more people have faster, convenient and low GHG emissions ways to travel.

**Catalytic Project or Program:** As practical, for King County and cities developing transit oriented communities around high capacity light rail and transit projects, adopt the Puget Sound Regional Council's Growing Transit Communities Compact. For smaller cities, participate in programs promoting proven alternative technology solutions such as vehicle electrification, as well as joint carpool and vanpool promotional campaigns.



## Joint County-City Climate Commitments ○●○○



### IV. Energy Supply

**Pathway:** Increase countywide renewable electricity use 20% beyond 2012 levels by 2030; phase out coal-fired electricity sources by 2025; limit construction of new natural gas based electricity power plants; support development of increasing amounts of renewable energy sources.

**Catalytic Policy Commitment:** Build on existing state renewable energy commitments including the Washington State Renewable Portfolio Standard (RPS) to partner with local utilities, state regulators and other stakeholders on a countywide commitment to renewable energy resources, including meeting energy demand through energy efficiency improvements and phasing out fossil fuels.

**Catalytic Project or Program:** In partnership with utilities, develop a package of county and city commitments that support increasingly renewable energy sources, in areas such as community solar, green power community challenges, streamlined local renewable energy installation permitting, district energy, and renewable energy incentives.



### V. Green Building and Energy Efficiency

**Pathway:** Reduce energy use in all existing buildings 25% below 2012 levels by 2030; achieve net-zero GHG emissions in new buildings by 2030.

**Catalytic Policy Commitment:** Join the Regional Code Collaboration and work to adopt code pathways that build on the Washington State Energy Code, leading the way to “net-zero carbon” buildings through innovation in local codes, ordinances, and related partnerships.

**Catalytic Project or Program:** Develop a multi-city partnership to help build a regional energy efficiency retrofit economy, including tactics such as: collaborating with energy efficiency and green building businesses, partnering with utilities, expanding on existing retrofit programs, adopting local building energy benchmarking and disclosure ordinances, and encouraging voluntary reporting and collaborative initiatives such as the 2030 District framework.

## Joint County-City Climate Commitments ○○●○



### VI. Consumption and Materials Management:

**Pathway:** By 2020, achieve a 70% recycling rate countywide; by 2030, achieve zero waste of resources that have economic value for reuse, resale and recycling.

**Catalytic Policy Commitment:** Partner through the Metropolitan Solid Waste Management Advisory Committee on policy, projects and programs focused on (1) waste prevention and reuse, (2) product stewardship, recycling, and composting, and (3) beneficial use.

**Catalytic Project or Program:** Develop a regional strategy through the Comprehensive Solid Waste Management Plan process to reach 70% recycling through a combination of education, incentives and regulatory tools aimed at single-family, multi-family residents, businesses, and construction projects in King County.



### VII. Forests and Farming

**Pathway:** Reduce sprawl and associated transportation related GHG emissions and sequester biological carbon by focusing growth in urban centers and protecting and restoring forests and farms.

**Catalytic Policy Commitment:** Partner on Transfer of Development Rights (TDR) initiatives to focus development within the Urban Growth Area, reduce development pressure on rural lands, and protect our most valuable and important resource lands.

**Catalytic Project or Program:** Protect and restore the health of urban and community trees and forests, for example through public-private-community efforts such as Forterra's Green Cities Partnerships.

**Catalytic Project or Program:** Partner on collaborative efforts to expand forest and farm stewardship and protection, for example through King Conservation District's farm management planning, landowner incentive, and grant programs.

**Catalytic Project or Program:** Expand our local food economy, for example by supporting urban and community farming, buying locally produced food, and participating in the Farm City Roundtable forum.

## Joint County-City Climate Commitments ○○○●



### VIII. Government Operations

**Pathway:** Reduce GHG emissions from government operations in support of countywide goals.

**Policy Commitment:** Develop and adopt near and long-term government operational GHG reduction targets that support countywide goals, and implement actions that reduce each local government's GHG footprint.

**Catalytic Project or Program:** In support of the Section V. Green Building and Energy Efficiency pathway targets to reduce energy use in existing buildings 25% below 2012 levels by 2030 and achieve net-zero GHG emissions in new buildings by 2030: execute energy efficiency projects and initiatives at existing facilities, measure existing building performance through EPA's Energy Star or equivalent program, implement high-efficiency street and traffic light replacement projects, and construct new buildings to LEED or Living Building Challenge standards and infrastructure to equivalent sustainability standards.



### IX. Collaboration

**Policy Commitment:** Participate in or join the King County-Cities Climate Collaboration (K4C) – focused on efforts to coordinate and enhance city and County climate and sustainability efforts – to share case studies, subject matter experts, resources, tools, and to collaborate on grant and funding opportunities.

**Catalytic Project or Program:** Engage and lead government-business collaborative action through efforts such as the Eastside Sustainable Business Alliance.

**Climate Change Related**  
**Comprehensive Plan**  
**Goals, Policies and Objectives**

- Pol. LU 1.4 Encourage a mix of residential, office and commercial uses within Burien's Urban Center to create a vibrant city center that reduces reliance on the automobile and provides a range of housing opportunities.
- Pol. EV 1.4 The City shall maintain a system of development regulations and a permitting system to prevent the destruction of critical areas. Development regulations should at a minimum address wetland protection, aquifer recharge areas important for potable water, fish and wildlife habitat conservation areas, frequently flooded areas, and geologically hazardous areas.
- Pol. EV 1.8 Locate development in a manner that minimizes impacts to natural features. Promote the use of innovative environmentally sensitive development practices, including design, materials, construction, and on-going maintenance.
- Pol. EV 1.11 Encourage minimizing the amount of impervious surfaces in new development through the use of appropriate low-impact development techniques and removing paved areas or using retrofit options in existing developments, where applicable, to minimize runoff.

***Goal EV.2***

***Maintain and promote a safe and healthy environment and preserve the quality of life in Burien.***

- Pol. EV 2.6 Continue to support and rely on the various State, Federal, local and regional programs to protect and enhance air quality.
- Pol. EV 2.11 The City shall encourage an increase in tree canopies through the addition and the preservation of existing vegetation and use of landscaping as an integral part of development plans.
- Pol. DB 1.8 The City should reinforce and enhance Burien's unique character and sense of place by creating an attractive, distinctive and well-defined downtown that supports and encourages walking and use of transit, as well as travel by the automobile. To help achieve this objective, the City should implement the Downtown Master Plan and Conceptual Framework for the Town Square to address issues such as (but not limited to) street and right-of-way standards, design guidelines, infrastructure needs, and public facilities needs and locations (*these documents are on file with the City and are incorporated herein by reference*).



### ***Goal SC.1***

***Develop a fully integrated local street system which accommodates various transportation modes depending upon individual neighborhood characteristics, and creates streetscapes that enhance neighborhood quality and help develop a strong sense of community.***

#### ***Citywide***

**Pol. SC 1.1** Pedestrian and other non-motorized travel facilities should be provided consistent with the Pedestrian and Bicycle Facilities Plan, giving priority to community pathways that connect public places, such as parks, recreation facilities, open spaces, downtown, schools, and neighborhood gathering spots. (Amended, Ord. 445, 2005)

### ***Objective TR 1.1 Multimodal Layered Network Concept***

In planning roadway improvements, refer to the City's adopted layered network concept in the Transportation Master Plan, which designates specific streets as serving different user types, including local vehicle trips, through trips, freight, transit vehicles, bicycles, and pedestrians.

### ***Objective TR 1.2***

Encourage multimodal connections where feasible, including strong pedestrian linkages between the transit center/TOD with downtown Burien.

**Pol. TR 1.2.3** Reduce the drive alone trips mode split for downtown Burien by 10% by 2030.

**Pol. TR 1.4.5** Encourage employers to establish and maintain a commute trip reduction program that supports and promotes reducing the number of single-occupant vehicle commute trips by encouraging alternative modes of transportation such as riding the bus, vanpool and carpool, biking to work, working from home, or a compressed workweek. (Amended, Ord. 497, 2008)

### ***Goal 4 Pedestrian and Bicycle Facilities***

***Create a safe and convenient environment for walking and bicycling integrated with roads and other transportation facilities.***

**Pol. TR 4.1.4** Encourage bicycle and pedestrian travel within the City by:

- a. Providing and promoting the development of pedestrian and bicycle paths between neighborhoods and other activity centers, such as schools, parks, transit and downtown;
- b. Encouraging the location of bicycle racks at appropriate destination points, such as outside of commercial businesses, City Hall, parks, schools, and transit facilities;
- c. Minimizing potential conflicts between pedestrian, bicycle and automobile traffic by providing signage at intersections of trails and paths with roadways; and

- d. Accommodating bicycles and pedestrians safely in the management and design of the City street network.

***Objective TR 8.1***

Support a transportation system that encourages energy conservation via the promotion of roadway connectivity, use of alternative transportation modes, development that minimizes reliance on vehicles, and street improvement standards.

**Pol. TR 8.1.1** Promote transit, bicycle and pedestrian travel.

**Pol. TR 8.1.2** Support current federal, state and regional policies aimed at reducing vehicle-related air pollution, including transportation demand strategies.

**Pol. TR 8.1.3** Coordinate with the Puget Sound Regional Council, Puget Sound Clean Air Agency, Washington State Department of Transportation, transit agencies and other jurisdictions to develop transportation control measures and air quality programs when warranted.

***Goal UT.4***

***Maintain an adequate and effective solid waste and recycling program to serve the needs of Burien's residents and businesses, which maintains public health, environmental and land use quality.***

**Pol. UT 4.1** The City shall encourage private and public sector involvement in recycling programs and in the use of recycled products, primarily through an enhanced public education campaign.

**Pol. UT 4.2** The City should strive to achieve an overall waste diversion rate goal of 65% by the year 2024. (Amended, Ordinance No. 614, December 2014)

**Pol. UT 4.3** The City should strive to achieve:

- a. a 95% recycling participation rate in the single family sector;
- b. a 75% recycling participation rate in the multifamily sector; and
- c. a 60% recycling participation rate in the commercial sector.

(Amended, Ordinance No. 614, December 2014)

**Pol. UT 4.4** The City should build upon existing recycling programs, and initiate new programs that will result in a significant impact at a reasonable cost.

***Goal ED. 5***

***Promote clean, sustainable, environmentally-friendly businesses and jobs.***

***Goal SU.3***

***Conserve energy and reduce the amount of carbon dioxide released into the atmosphere.***

- Pol. SU 3.1    The City should evaluate energy use and carbon emissions and develop targets for conservation.
- Pol. SU 3.2    The community should work to become more efficient in our daily lives and our usage of resources.